

PROPRIETARY INTERESTS IN COMMERCIAL TRANSACTIONS

SARAH WORTHINGTON



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Proprietary Interests In Commercial Transactions

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Proprietary Interests In Commercial Transactions:

Proprietary Interests in Commercial Transactions Sarah Worthington, 1996 One of the most pressing problems now facing commercial lawyers is to explain the principles which determine when a remedy is proprietary and when it is not This book provides a broad overview of the subject It examines representative business transactions which commonly give rise to legal or equitable interests in personal property Its aim is to distil the fundamental principles understanding the relevant legal analyses The result is to provide a more theoretically rigorous analytical framework for proprietary interests in personal property The practical advantages of this are potentially twofold new commercial transactions can be more effectively structured in addition disputes between contracting parties can be more reliably resolved Two features of the analysis are significant The first is the elastic nature of proprietary interests in personal property Although proprietary interests can be broadly classified as ownership or security interests these are relative concepts which may be affected significantly by impinging contractual arrangements The second feature is the necessary and intimate integration of law and equity Equitable proprietary interests are remarkably prevalent this prevalence is directly related to the apparent ease with which equity is able to convert particular personal obligations into proprietary interests

Law of Tracing in Commercial Transactions Raczynska Magda, 2018 A pressing problem often facing commercial practitioners is how to determine the principle which would dictate when a proprietary claim is available and when it is not This book explains the nature and structure of key interests in property in commercial transactions and analyses the incidence of proprietary claims available to holders of different interests in assets The book starts by identifying the structure of those interests which the author terms lesser proprietary interests comprising security interests and interests based on retention of title in contracts of sale of goods hire purchase agreements and leases thereby contributing to the understanding of concepts which are traditionally used to explain this area of law such as bailment and fiduciary relationship Using this framework the book examines the circumstances in which the interests are lost and the extent to which proprietary claims can be asserted in assets that derive from the original subject matter that is proceeds products and income as well as in accretions It examines these claims at three levels first as a matter of default rules in the absence of misappropriation of the original subject matter secondly as a matter of contract considering the limits of contractual freedom and thirdly in circumstances in which the original subject matter has been misappropriated This book is the first to approach the topic of tracing and derived assets in commercial transactions on a principled basis It subjects an area of little authority and general academic comment to rigorous and detailed analysis It contains treatment of the relevant case law and discussion of points that have yet to come up in litigation in England and abroad By way of comparison it considers salient aspects of the relevant rules under Article 9 of the US Uniform Commercial Code The book is timely in light of the current debate on the shape of the law reform of secured transactions in England and elsewhere

The Principles of Personal Property Law Duncan Sheehan, 2011-11-30 The law of

personal property covers a very wide spectrum of scenarios and has had little detailed scrutiny of its overarching structure over the years This is a shame It is a system and can best be understood as a system Indeed without understanding it as a system it becomes much more difficult to understand This new textbook is intended to provide a comprehensive and yet detailed coverage of the law of personal property in England and Wales It includes transfer of legal title to chattels the nemo dat rule negotiable instruments and assignment of choses in action It also looks at defective transfers of property and the resulting proprietary claims including those contingent on tracing the tort of conversion bailment and security interests By bringing together areas often scattered throughout company law commercial law trusts and tort textbooks it enables readers to see common themes and issues and to make otherwise impossible generalisations across different contexts about the nature of the concepts English law applies Throughout the book concepts are explained rigorously with reference to how they are used in commercial practice and everyday life The book will be of use to students on undergraduate commercial law courses or related LLM courses as well as those on integrated property law courses and particularly specialised personal property modules It will also be useful to academics and practitioners working in the area

Security Interests in Mobile Equipment Iwan Davies, 2017-11-30 This title was first published in 2002 This collection of essays marks the formal launch of the Centre for Instalment Credit Law at the University of Wales Swansea Divided into three sections it examines the concept of security within domestic law considers the choice of law rules and ponders development of uniform law

Reports of Cases Argued and Determined in the Supreme Court of Ohio Ohio. Supreme Court, 1890

Commercial Transactions Lynn M. LoPucki, 2009 Companion Website www.aspenlawschool.com/books/lopuckicommercial

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Shipping v Thai Petrochemical and Rivet v Regions Bank of Louisiana expanded coverage of wire transfers new chapters on credit enhancement and letters of credit including both commercial and standby letters of credit to reflect changes from UCP500 to UCP600 Part Three Secured Credit updates to reflect adoption of revised Article 1 by a majority of states while preserving old Article 1 section numbers for use in states that haven't made that change yet chattel paper instruments accounts and payment intangibles including the celebrated Commercial Money Center case asset securitization The sale lease distinction including in re Worldcom and new debtors updated search methods and costs to reflect migration of the UCC filing systems To The Internet For comprehensive coverage of commercial transactions luminary authorship and a highly teachable assignment based approach look no further than your complimentary copy of Commercial Transactions A Systems Approach now in its Fourth Edition A Teacher's Manual may be available for this book Teacher's Manuals are a professional courtesy offered to professors only For more information or to request a copy please contact Aspen Publishers at 800 950 5259 or legaledu@wolterskluwer.com **Handling Intellectual Property Issues in Business Transactions**, 2002

The Northeastern Reporter, 1889 Includes the decisions of the Supreme Courts of Massachusetts Ohio Indiana and Illinois and Court of Appeals of New York May July 1891 Mar Apr 1936 Appellate Court of Indiana Dec 1926 Feb 1927 Mar Apr 1936 Courts of Appeals of Ohio **American Journal of Philology**, 1899 Each number includes Reviews and book notices *Stevenson's Introductory Bookkeeping* William C. Stevenson, 1899 **The Commercial and Financial Chronicle**, 1897 The Law Times Reports, 1891 Intellectual Property in the Global Marketplace, Valuation, Protection, Exploitation, and Electronic Commerce Melvin Simensky, Lanning G. Bryer, Neil J. Wilkof, 1999-09-16 Rev ed of The new role of intellectual property in commercial transactions 1994 **The Commercial & Financial Chronicle and Hunt's Merchants' Magazine**, 1874 **Reports of Cases Determined in the Courts of Appeal of the State of California**, 1994 **Illustrative Cases in Equity** William Sullivan Pattee, 1893 *United States Code Service, Lawyers Edition* United States, 1936 **Maximizing Tax Benefits from Sophisticated Real Estate Transactions**, 1979

Professional Responsibility Standards, Rules and Statutes John S. Dzienkowski, 2006-06-22 NUTRITION NOW is the most flexible interactive non majors text that is research based yet presented in an applied consumer oriented approach Its unique modular format is comprised of 33 individual units that cover the basics of nutrition science and its applications to daily life Instructors have the flexibility to choose which units to cover and to modify the sequence of coverage to meet the interests and needs of their students and the course **The Section of Business Law and the Division for Professional Education Present Third Party Legal Opinions: Reference materials**, 1990

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