

## ABSTRACT

### **Art. 70 of the Common European Sales Law and Art. 1341 of the Italian Civil Code**

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The aim of this presentation is to provide an interpretation of Art. 70 CESL compared with pre-existing rules, especially the well established Art. 1341 of the Italian Civil Code of 1942 which was the first codification to address certain articles (Art. 1341, 1342, 1370) to the then-new standard contracts.

The Author intends to analyze the most significant issues that emerge when interpreting the new article and to inform the participants of the history and the evolution of Italian contract law regarding standard terms. This comparison may turn out to be very useful for the interpretation of the new rule, even if there are some terminological differences between the old and the new one.

In conclusion, the thesis of the Author is in contrast to the one of the most important commentary as, according to him, in fact Art. 70 do has a precursor in a Member State's law: Art. 1341 para. 1 of the Italian Civil Code.