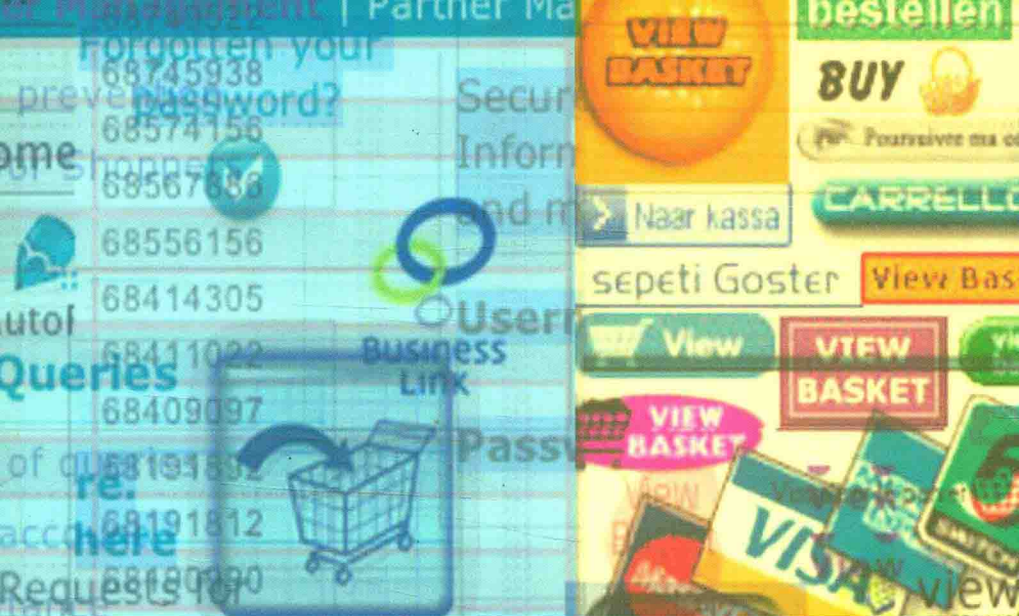




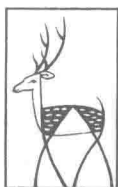
Producers and Consumers in EU E-Commerce Law

John Dickie



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PRODUCERS AND CONSUMERS IN EU E-COMMERCE LAW

Producers and Consumers in EU E-Commerce Law argues that the European Union is failing adequately to protect consumers' critical interests in e-commerce. The book compares the Union's close protection of producers' critical interests in e-commerce, considered in terms of authorship and of 'domain-identity', with its faltering steps towards protection of consumers' corresponding interests, considered in terms of fair trading, privacy and (on behalf of children) morality. The book assesses the threats posed to those interests, the extent to which self-help can and does neutralise those threats and, as regards any gaps left, the extent to which the Union has stepped into the breach. The argument is important given that surveys show low levels of consumer confidence in European cross-border e-commerce, a motor of integration *par excellence*.



PREFACE

This book argues that the European Union is failing adequately to protect consumer's critical interests in e-commerce. It seeks to prove that argument by evidencing a pattern of deficiencies in the protection of those interests and then contrasting that pattern with the EU's close protection of producers' corresponding interests. The contrast discounts the possibilities that the failures in the consumer field are due to general difficulties inherent in harmonising national law or to specific difficulties involved in regulating electronic commerce. The width of the argument together with limited time led inevitably to shallows. Notwithstanding those shallows, I believe that the argument is both made out and valuable. It is valuable in particular because surveys currently show that consumers have little confidence in buying online, and that as a result the potential of e-commerce, a motor of European integration *par excellence*, is not being fulfilled.

This book is based on a PhD thesis written at the University of Warwick and for their support in that area I would like to thank my initial and subsequent supervisors, Chris Willett and Andrew Clark, my external examiners, Lilian Edwards and Geraint Howells, and my internal adviser, Alan Neal.

This book is dedicated to Anna, Jo, and Gordon.

John Dickie
University of Leicester
March 2005

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