

## **INTERNET BUSINESS TRANSACTIONS WITH AN INTERNATIONAL ELEMENT**

The recent developments in technology have raised new forms of electronic communication and business strategies on the Internet, in particular the direct e-commerce operated through dynamically generated websites. As a consequence, the suitability of traditional legal norms has been challenged, including the rules governing jurisdiction. The law therefore tries to respond by adoption of new legal concepts and principles or adaptation of the old ones. One of them is the concept of directing business activities, which was incorporated into EU law in relation to the special jurisdictional rules protecting the consumers of the member states under the Brussels Regulation.

Accordingly, the aim of the thesis is to characterize the nature of the concept of directing business activities under the article 15 of the Brussels Regulation, as well as to identify the relevant criteria as to its fulfilment, all in the context of the disputes arising from the consumer contracts concluded as a result of the business activities directed towards the consumers of a member state on the Internet.

The first section of the thesis deals with the traditional basis of the state's sovereignty and jurisdictional rules, whereas the second section identifies the specific nature of the Internet and World Wide Web and reflects its consequences to the traditional rules of jurisdiction governed by the norms of the international private law.

Following the short introduction of a broader context, the third part of the thesis describes the nature and the main basis of the concept of directing activities, adopted by the courts of the United States in relation to the doctrine of minimum contact, and subsequently developed for the purposes of its smooth application within the specific legal relations arising on the Internet. In the last part the meaning of the concept of directing activities under art. 15 of the Brussels I Regulation is analysed, including the autonomous interpretation of the principle by the JCEU in its recent case of Hotel Alpenhof, where a number of relevant factors were identified as to the satisfaction of the criteria of directed activity through websites, such as the degree of interactivity, language or currency used, the form and extent of the contact information or any facts showing the intention to territorially ring-fence the on-line business activities.

At the very end the thesis also suggests some improvements, in particular the inclusion of filtering mechanisms as one of the factors of the test of directed activities. Last but not least it critically considers the impact of the JCEU decision and focuses on the possible further developments of the concept of directing activities in the near future.