

Abstract

The main aim of this diploma thesis was to identify the international sales contract with a focus on the definition of the international sales contract, the sources of law which govern the international sales contract and the United Nations Convention on Contracts for the International Sale of Goods, with a closer focus on the formation of the contract and rights and rights and obligations of the buyer and the seller under the Vienna convention and the relevant case law for these issues, as well as the gaps in the Vienna convention. The methods used to develop this diploma thesis are analysis, description and synthesis. Analysis is used to the greatest extent in the third chapter, description is used especially within the first and second chapter and the synthesis is used within the recapitulations at the end of each chapter and within the summary.

Within the first chapter I focused on the definition of the international sales contract and its distinction from the classical sales contract.

The second chapter deals with the sources of law, which govern the international sales contract. In this chapter, I focus on the direct regulation, conflict of law rules, imperative legal norms, international treaties, European law, choice of law, international business practices, national law, lex mercatoria, INCOTERMS rules, Principles of International Commercial Contracts and Principles of European Contract Law.

In the third chapter I focused on the United Nations Convention on Contracts for the International Sale of Goods. Firstly, I deal with the unification efforts that preceded the adoption of the Vienna Convention. Afterwards, I discussed the structure of the Vienna Convention, characteristics of the Vienna Convention, sphere of application and general provisions of the Vienna Convention and rights and obligations of the seller and the buyer under the Vienna Convention. In this part of my thesis I referred to relevant case law which is important for the interpretation of brief provisions of the Vienna Convention. At the end of the chapter I dealt with the gaps in the Vienna Convention and the methods of gap filling and with the importance of the Vienna Convention.

Keywords:

Sales contract in international business transactions

United Nations Convention on Contracts for the International Sales of Goods

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