



The Supreme Court of the Russian Federation clarifies that Russian consumer protection law may be applied to the purchase of goods in foreign Internet shops notwithstanding a different governing law agreed in the purchase contract

 02/08/2019  INTELLECTUAL PROPERTY, RUSSIA

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In its recent “Ruling on clarifying application of provisions of international private law” issued in July 2019, the Supreme Court of the Russian Federation held that despite of the general rule on the freedom of choice of the applicable law for purchase contracts, the Russian Courts may apply imperative provisions of Russian consumer protection law to such

contracts if a seller as a professional party acts in Russia or aims at acting in Russia.

The latter, as held by the Supreme Court, includes sales of goods to customers in Russia through the Internet via online store aimed at Russian consumers. As examples of evidence confirming the intention of the seller to enter into transactions with Russian customers the Supreme Court listed the following:



- Russian language is one of the languages of the site;
- Prices are indicated in Russian rubles;
- Contact telephone numbers of the seller show Russian country codes;
- or other evidence, e.g. the seller ordered services for increasing the ranking/ citation rate of its site among Russian consumers.

The potential evidence is not limited by the list, and the Supreme Court stated that single element of evidence allows the Russian Courts to apply Russian consumer protection law to sale deals

between foreign entities and Russian customers whatever the purchase agreement with customer indicates as an applicable law. This approach was earlier used by the Russian Courts, but the Ruling of the Supreme Court clarified it in order to unify the law interpretation and enforcement in Russia.





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