

Key terms

No matter how user friendly you try to make a law book, it is inevitable that legal jargon will sneak in. European legal issues have a distinct lexicon which is not always self explanatory. The following words will crop up repeatedly throughout the book.

Civil Law Civil Law is the dominant legal approach in continental Europe. Civil Law is based on codified laws and does not tend to rely on a system where previous decisions inform the likely outcome of future decisions (i.e., a system of ‘precedent’). Civil Law is discussed in more detail in Chapter 2

Common Law Common Law is the dominant legal approach in the UK and Ireland. Common Law is a system of ‘precedent’ where each decision informs the boundaries within which the court must act in the future (unless a higher court overrules them). Common Law is discussed in more detail in Chapter 2

Data Data can be both an intellectual property right when included in a database or consist of ‘personal data’. Personal data is data which can be used to identify an individual. Data in the EU is regulated by the General Data Protection Regulation (GDPR)

Design This refers to the intellectual property right which can be registered or unregistered and is harmonised across the European Union

Directive This is a type of European Union law which essentially sets out minimum standards for Member States to follow. Member States typically

have two years from the date a Directive is passed by the European Union to implement it into national law

- E-commerce** Electronic Commerce or e-commerce is the sale of goods via the Internet. It is sometimes used interchangeably with ‘distance selling’ which can also include sales that are concluded over the phone. It is regulated in the European Union by several laws, in particular the E-commerce Directive
- EEA** Is the European Economic Area. This is an economic trading zone known as the ‘single market’ which includes all European Union Member States as well as Norway, Iceland and Liechtenstein
- EU** Is the European Union, a shared economic and political union which currently includes 28 Member States
- Harmonisation** One of the aims of the European Union is to provide consistency across the Union. This is achieved by a process known as ‘harmonisation’ and involves the creation of minimum or common standards which cover everything from trade marks to textiles
- Member State** The current 28 Member States of the European Union are Austria, Belgium, Bulgaria, Croatia, Republic of Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and the UK
- Regulation** A Regulation goes one step further than a Directive and automatically applies across the European Union without the need for Member States to implement national legislation, although it is open to them to do so. The General Data Protection Regulation (GDPR) is a recent example of a Regulation

UK law

There are three different legal systems in the United Kingdom (England and Wales, Scotland and Northern Ireland). References to UK law are primarily to English law. The differences in the other legal systems tend to be more procedural than legal