

Appendix E – Key Stakeholders Survey Data

*Data Collection and Impact
Analysis – Certain Aspects of a
Possible Revision of Council
Regulation No. 44/2001 on
Jurisdiction and the Recognition and
Enforcement of Judgments in Civil
and Commercial Matters ('Brussels
I')*

15 December 2010



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Brussels I

1. What type of organisation do you represent?

	Response Percent	Response Count
National Ministry responsible for the administration of justice	13.6%	24
Judiciary (please specify below)	5.6%	10
Association of Court Bailiffs/Huissiers	2.8%	5
Law firm	18.6%	33
Law firm's national professional association	1.7%	3
Bar Association/International Bar Association	2.8%	5
Associations/organisations of arbitration practitioners	2.3%	4
Arbitration Institutes	2.8%	5
Chamber of Commerce	1.7%	3
Trade Association	3.4%	6
Consumer Association/Citizen Advice Bureau	10.7%	19
Legal Aid Agency	1.7%	3
Debt Collection Agency	0.6%	1
Credit Insurer	0.0%	0
Legal Translation agency	1.1%	2
Business/Individual Company	10.2%	18
Other (please specify below)	20.3%	36
answered question		177
skipped question		71

2. Which industry is your organisation part of?






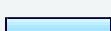











	Response Percent	Response Count
Agriculture, forestry and fishing	0.0%	0
Mining and quarrying	0.0%	0
Manufacturing	2.3%	3
Electricity, gas, steam and air conditioning supply	0.8%	1
Water supply, sewerage, waste management and remediation activities	2.3%	3
Construction	0.8%	1
Wholesale and retail trade, repair of motor vehicles and motorcycles	5.3%	7
Accommodation and food service activities	0.8%	1
Transportation and storage	1.5%	2
Information and communication	3.1%	4
Financial and insurance activities	7.6%	10
Real estate activities	0.0%	0
Professional, scientific and technical activities	16.8%	22
Administrative and support service activities	2.3%	3
Public administration and defence; compulsory social security	7.6%	10
Education	9.2%	12
Human health and social work activities	0.8%	1
Arts, entertainment and recreation	0.0%	0
Other service activities	6.9%	9
Activities of households as		





employers; undifferentiated goods- and services-producing activities of households for own use		0.0%	0
Activities of extraterritorial organizations and bodies		2.3%	3
Other (please explain below)		29.8%	39
	Other (please specify)		52
answered question			131
skipped question			117

3. How many employees does your organisation have in Europe?




		Response Percent	Response Count
1-9		22.7%	34
10-49		18.0%	27
50-249		17.3%	26
250 or more		42.0%	63
answered question			150
skipped question			98

4. From which Member State(s) does your organisation operate? Multiple answers are possible.

	Response Percent	Response Count
Austria 	4.8%	8
Belgium 	12.6%	21
Bulgaria 	3.6%	6
Cyprus 	3.0%	5
Czech Republic 	7.8%	13
Denmark 	7.2%	12
Estonia 	10.2%	17
Finland 	9.6%	16
France 	15.6%	26
Germany 	15.6%	26
Greece 	7.8%	13
Hungary 	6.6%	11
Ireland 	7.2%	12
Italy 	12.0%	20
Latvia 	9.0%	15
Lithuania 	9.0%	15
Luxemburg 	9.0%	15
Malta 	3.6%	6
Netherlands 	10.2%	17
Poland 	7.8%	13
Portugal 	8.4%	14
Romania 	4.8%	8
Slovakia 	3.6%	6
Slovenia 	7.2%	12

Spain		15.0%	25
Sweden		9.0%	15
United Kingdom		20.4%	34
Country outside the EU (please specify)		9.6%	16
		<i>answered question</i>	167
		<i>skipped question</i>	81


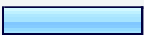




5. Would you like to give your opinion on a number of questions about possible revisions to Brussels I?

		Response Percent	Response Count
Yes		44.4%	99
No		6.7%	15
I would first like to have a look at the questions.		48.9%	109
		<i>answered question</i>	223
		<i>skipped question</i>	25





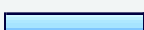
6. In your experience, how important are the following common considerations for a company in deciding whether or not to pursue cross-border consumer disputes in court?

	Very important	Quite important	Neutral	Quite unimportant	Not important at all	Don't know	Response Count
Company size	16.1% (14)	51.7% (45)	23.0% (20)	0.0% (0)	2.3% (2)	6.9% (6)	87
Type of business	7.1% (6)	40.0% (34)	38.8% (33)	3.5% (3)	4.7% (4)	5.9% (5)	85
Value of the claim	62.8% (54)	27.9% (24)	2.3% (2)	1.2% (1)	0.0% (0)	5.8% (5)	86
Financial costs associated with solving the dispute in court	50.0% (42)	36.9% (31)	6.0% (5)	1.2% (1)	0.0% (0)	6.0% (5)	84
Proceedings in a foreign language	27.4% (23)	34.5% (29)	25.0% (21)	4.8% (4)	2.4% (2)	6.0% (5)	84
Unfamiliarity with foreign legal system	39.3% (33)	34.5% (29)	13.1% (11)	4.8% (4)	1.2% (1)	7.1% (6)	84
Availability of alternative means of dispute resolution (e.g. mediation)	17.1% (14)	32.9% (27)	24.4% (20)	14.6% (12)	3.7% (3)	7.3% (6)	82
Other	29.4% (5)	17.6% (3)	11.8% (2)	0.0% (0)	0.0% (0)	41.2% (7)	17
Please use the following space for any comments::							12
answered question							88
skipped question							160






7. In your experience, how do the costs of litigating in a Member State where the party is not based in compare to the costs of litigating in a Member State where the party is based in?

		Response Percent	Response Count
Much more expensive to litigate in another Member State		39.6%	36
A little more expensive to litigate in another Member State		20.9%	19
Same		5.5%	5
A little less expensive to litigate in another Member State		0.0%	0
Much less expensive to litigate in another Member State		1.1%	1
Don't know		9.9%	9
Difficult to say - depends which countries are involved (please explain)		23.1%	21
		answered question	91
		skipped question	157

8. For companies only: What effect (if any) does the risk of litigation in another Member State in the case of a cross-border consumer dispute have on your company's attitude to cross-border trade?

	Response Percent	Response Count
No effect 	20.6%	7
Some effect 	32.4%	11
A major effect 	23.5%	8
Don't know 	2.9%	1
Not applicable 	20.6%	7
<i>answered question</i>		34
<i>skipped question</i>		214

9. For consumers/consumer organisations only: To what extent does the risk of litigating in another Member State in the case of a cross-border consumer dispute discourage the consumers your organisation deals with from engaging in cross-border trade (considering that a particular product or service might be cheaper or indeed only available for purchase in another Member State)?

	Response Percent	Response Count
Not at all discouraged 	8.6%	3
Discouraged a bit 	25.7%	9
Entirely discouraged 	25.7%	9
Don't know 	8.6%	3
Not applicable 	31.4%	11
<i>answered question</i>		35
<i>skipped question</i>		213

10. To what extent would you be inclined to engage in (more) cross-border commercial activity if, in the event of a dispute:-

	A lot more inclined	Slightly more inclined	Neutral	Slightly less inclined	A lot less inclined	Don't know	Not applicable	Response Count
A judgment obtained in one Member State would be enforceable in another Member State without additional procedures?	39.4% (28)	26.8% (19)	21.1% (15)	2.8% (2)	4.2% (3)	0.0% (0)	5.6% (4)	
Instead of going to court abroad, you could make use of written/online procedures for dispute resolution?	45.1% (32)	29.6% (21)	14.1% (10)	2.8% (2)	1.4% (1)	0.0% (0)	7.0% (5)	
<i>answered question</i>								
<i>skipped question</i>								1




11. In your opinion, what approach should be adopted to the question of jurisdiction for consumer disputes resulting from cross-border trade?

	Response Count
	43
<i>answered question</i>	43
<i>skipped question</i>	205




12. In your experience, what are some of the most common reasons for refusing an application for exequatur?

	Response Count
	44
<i>answered question</i>	44
<i>skipped question</i>	204

13. In your experience, are there noticeable differences in granting/refusing an application for exequatur depending in which Member State the judgment was given or in which Member State enforcement is sought?

	Response Percent	Response Count
Yes 	27.9%	17
No 	27.9%	17
Don't know 	44.3%	27
Please explain:		19
answered question		61
skipped question		187

14. Do you think that the defendants/debtors rights of appeal are adequately protected by the current exequatur procedures?

	Response Percent	Response Count
Yes 	72.1%	49
No 	11.8%	8
Don't know 	16.2%	11
Please explain:		14
answered question		68
skipped question		180

15. Consistent with the objective of streamlining current exequatur procedures to reduce time and cost, what changes do you think would be helpful and/or which of the current requirements could be abolished or simplified?

	Response Count
	44
<i>answered question</i>	44
<i>skipped question</i>	204

16. In your experience, on what basis do parties generally bring proceedings against Third State defendants before the courts of countries inside the EU?

	Always	Often	Sometimes	Seldom	Never	Don't know/not applicable	Rating Average	Response Count
Choice of courts of a Member State (forum clause)	9.5% (6)	61.9% (39)	14.3% (9)	3.2% (2)	0.0% (0)	11.1% (7)	2.13	6
National ground for jurisdiction of courts of EU Member State (please specify below)	1.9% (1)	38.5% (20)	19.2% (10)	0.0% (0)	1.9% (1)	38.5% (20)	2.38	5
European ground for jurisdiction (other than choice of courts) of courts of EU Member State (Brussels I) (e.g. location of real estate/immoveable property in Europe)	7.0% (4)	50.9% (29)	19.3% (11)	7.0% (4)	0.0% (0)	15.8% (9)	2.31	5
Other (please specify below)	6.7% (1)	6.7% (1)	13.3% (2)	0.0% (0)	0.0% (0)	73.3% (11)	2.25	1
						Please specify		1
						<i>answered question</i>		6
						<i>skipped question</i>		18

17. In your experience, on what basis do parties generally bring proceedings before the courts of a country outside the EU?

	Always	Often	Sometimes	Seldom	Never	Don't know/not applicable	Rating Average	Response Count
Choice of courts of third state (forum clause)	6.9% (4)	50.0% (29)	17.2% (10)	6.9% (4)	0.0% (0)	19.0% (11)	2.30	5
No forum available inside the EU under national law	4.0% (2)	22.0% (11)	18.0% (9)	20.0% (10)	6.0% (3)	30.0% (15)	3.03	5
No forum available inside the EU under EU law (Brussels I)	4.1% (2)	24.5% (12)	24.5% (12)	18.4% (9)	0.0% (0)	28.6% (14)	2.80	4
Proceedings were brought before courts of third state to ensure recognition and enforcement of the decision	0.0% (0)	39.2% (20)	27.5% (14)	3.9% (2)	0.0% (0)	29.4% (15)	2.50	5
Other	7.1% (1)	14.3% (2)	0.0% (0)	0.0% (0)	7.1% (1)	71.4% (10)	2.50	1
If Other, please specify								
<i>answered question</i>								6
<i>skipped question</i>								18

18. In your opinion, does the existence of different national rules relating to the jurisdiction vis-a-vis parties outside the EU put parties domiciled in one EU Member State at a disadvantage/advantages compared with another EU Member State? Please elaborate.

	Response Count
	39
<i>answered question</i>	39
<i>skipped question</i>	209

19. If so, are these disadvantages/advantages of sufficient importance to have an impact on commercial decisions, for example as to the location of businesses within the EU?

	Response Count
	24
<i>answered question</i>	24
<i>skipped question</i>	224

20. In your opinion, does the existence of differences as between Member States in recognition and enforcement of judgments given in courts outside the EU result in (serious) inequalities between the rights of those domiciled in different Member States? (If so, can you give examples of such inequalities and their effect?)

	Response Count
	32
<i>answered question</i>	32
<i>skipped question</i>	216

21. In your experience, what have been some of the most common reasons for a refusal of the declaration of enforceability of a third country judgment?

	Response Count
	33
<i>answered question</i>	33
<i>skipped question</i>	215

22. Would you favour there being a common EU ground of jurisdiction over defendants domiciled outside the EU based on their carrying on of business, or having assets, within the EU or other harmonised criteria? What if any benefit would accrue to the functioning of the internal market?

	Response Count
	39
<i>answered question</i>	39
<i>skipped question</i>	209

23. Given the present interpretation of Brussels I by the ECJ and courts of the Member States, in your opinion, are there any problems affecting the application of the New York Convention with regard to the effectiveness of arbitration agreements and the enforcement or recognition of arbitral awards? Are other problems susceptible of occurring?

	Response Count
	39
<i>answered question</i>	39
<i>skipped question</i>	209

24. In your opinion, if such problems exist or might exist, are they significant enough to require a change of Brussels I or could they be dealt with in another way? Please elaborate.

	Response Count
	28
<i>answered question</i>	28
<i>skipped question</i>	220

25. In your opinion, if such problems exist or might exist, and could be dealt with by changing Brussels I, should the change take the form of:-

	Definitely yes	Maybe yes	Not sure	Maybe not	Definitely not	Don't know/No opinion	Response Count
The (partial) inclusion of arbitration into Brussels I?	27.0% (10)	13.5% (5)	10.8% (4)	5.4% (2)	35.1% (13)	8.1% (3)	37
Provisions in Brussels I clarifying the extent of the exclusion of arbitration from Brussels I?	31.6% (12)	39.5% (15)	13.2% (5)	0.0% (0)	5.3% (2)	10.5% (4)	38
What alternative form might the change take?							16
<i>answered question</i>							42
<i>skipped question</i>							206

26. In your experience, how important are the following factors for parties to select an arbitration seat?

	Very important	Important	Neutral	Unimportant	Very Unimportant	Don't know	Response Count
Location/Infrastructure	27.9% (12)	53.5% (23)	11.6% (5)	0.0% (0)	0.0% (0)	7.0% (3)	4
Parties' domicile	25.6% (11)	34.9% (15)	16.3% (7)	14.0% (6)	2.3% (1)	7.0% (3)	4
Arbitration Regulation	31.8% (14)	54.5% (24)	6.8% (3)	0.0% (0)	0.0% (0)	6.8% (3)	4
What other factors might play a role in choosing a seat?							2
<i>answered question</i>							4
<i>skipped question</i>							20



27. Generally speaking, in your opinion, how popular are the following arbitration seats?

		Very popular	Quite popular	Neutral	Quite unpopular	Very unpopular	Don't know	Response Count
	Paris	37.2% (16)	32.6% (14)	14.0% (6)	2.3% (1)	0.0% (0)	14.0% (6)	43
	London	52.4% (22)	23.8% (10)	7.1% (3)	4.8% (2)	0.0% (0)	11.9% (5)	42
	Geneva	22.7% (10)	36.4% (16)	18.2% (8)	4.5% (2)	0.0% (0)	18.2% (8)	44
	New York	22.0% (9)	26.8% (11)	22.0% (9)	7.3% (3)	0.0% (0)	22.0% (9)	41
	Stockholm	20.0% (8)	35.0% (14)	17.5% (7)	2.5% (1)	0.0% (0)	25.0% (10)	40
	What are some of the other seats frequently chosen?							25
	<i>answered question</i>							46
	<i>skipped question</i>							202

28. What are some of the reasons why parties do not choose a seat?

	Response Count
	26
<i>answered question</i>	26
<i>skipped question</i>	222

29. Do you believe that the Green Paper proposal, according to which, in the absence of a choice, the seat would be deemed to be located in the country whose courts would have jurisdiction under Brussels I, is appropriate?

		Response Percent	Response Count
Yes		43.2%	16
No		56.8%	21
	Please elaborate:		28
<i>answered question</i>			37
<i>skipped question</i>			211

30. Generally speaking, in your opinion, how popular are the arbitration rules of the following arbitration institutes?

	Very popular	Quite popular	Neutral	Quite unpopular	Very unpopular	Don't know	Response Count
ICC (Paris)	50.0% (19)	21.1% (8)	7.9% (3)	2.6% (1)	0.0% (0)	18.4% (7)	38
LCIA (London)	35.3% (12)	23.5% (8)	5.9% (2)	5.9% (2)	0.0% (0)	29.4% (10)	34
SCC (Stockholm)	20.0% (7)	34.3% (12)	11.4% (4)	5.7% (2)	0.0% (0)	28.6% (10)	35
Geneva Chamber of Commerce & Industry	10.8% (4)	18.9% (7)	21.6% (8)	5.4% (2)	0.0% (0)	43.2% (16)	37
Zurich Chamber of Commerce	5.6% (2)	11.1% (4)	33.3% (12)	2.8% (1)	0.0% (0)	47.2% (17)	36
DIS (Germany)	2.9% (1)	14.3% (5)	28.6% (10)	8.6% (3)	0.0% (0)	45.7% (16)	35
Netherlands Arbitration Institute	0.0% (0)	12.1% (4)	33.3% (11)	6.1% (2)	0.0% (0)	48.5% (16)	33
AAA (New York)	14.7% (5)	14.7% (5)	26.5% (9)	2.9% (1)	0.0% (0)	41.2% (14)	34
Singapore International Arbitration Centre Hong Kong International Arbitration Centre	2.9% (1)	29.4% (10)	20.6% (7)	5.9% (2)	0.0% (0)	41.2% (14)	34
What are their relative attractions for users?							18
answered question							40
skipped question							208

31. In your opinion, would a revision of Brussels I so as to include arbitration in the Regulation have an effect on parties in terms of selecting their arbitration seat?

	Response Percent	Response Count
Yes, definitely	20.9%	9
Probably	58.1%	25
Neutral	4.7%	2
Probably not	4.7%	2
Definitely not	2.3%	1
Don't know	9.3%	4
<i>answered question</i>		43
<i>skipped question</i>		205

32. If arbitration is (partially) included in the Regulation, do you believe that courts where proceedings are brought on the merits in breach of an arbitration agreement should stay proceedings if the defendant contests its jurisdiction with respect to the existence and scope of the arbitration agreement if (i) a court at the seat of the arbitration has been seized to put the arbitration in motion or has been seized of a difficulty relating to the constitution of the arbitral tribunal, or (ii) if an arbitral tribunal, sitting in or outside the European Union, has been seized of said question?

	Response Count
	29
<i>answered question</i>	29
<i>skipped question</i>	219

33. In your opinion, is there any measure which could be taken at the EC regulatory level (i) to develop international commercial arbitration between European companies or between European and non-European companies and (ii) to make European places of arbitration competitively attractive with respect to non-European places?

	Response Count
	26
<i>answered question</i>	26
<i>skipped question</i>	222

34. In your opinion, would (partially)suppressing the arbitration exception be more effective to support transnational arbitration within the EU than the current situation where the interface between arbitration and court proceedings is dealt with by each Member State's national law, in particular when court proceedings take place in a Member State other than those of the seat of the arbitration? Please elaborate.

	Response Count
	29
<i>answered question</i>	29
<i>skipped question</i>	219

35. In your opinion, if the arbitration exception were to be (partially) deleted, would it be advisable to introduce in the Regulation a provision dealing with the irreconcilability between a judgment and an arbitral award?

	Response Count
	30
<i>answered question</i>	30
<i>skipped question</i>	218




36. In your opinion, if exequatur was abolished for judgments, how would this impact on arbitration, in particular in comparison to the enforcement of arbitration awards under the New York Convention?

	Response Count
	28
<i>answered question</i>	28
<i>skipped question</i>	220





37. In your experience, whenever there was a need to obtain provisional/protective relief in Europe, did Article 31 of the Regulation suffice or would it have been necessary/more appropriate to be able to obtain provision/protective relief from a court which would have had jurisdiction on the substance of the dispute?

	Response Count
	27
<i>answered question</i>	27
<i>skipped question</i>	221




38. In your opinion, if an exclusive jurisdiction is created for ancillary measures at the seat of the arbitration, should arbitration agreements where the seat has not been selected by the parties be left out of Brussels I and, if not left out, should there be any exclusive jurisdiction for such cases?

	Response Percent	Response Count
Yes 	20.0%	6
No 	46.7%	14
No opinion 	33.3%	10
Please elaborate:		16
answered question		30
skipped question		218




39. Do you believe that, if an exclusive jurisdiction is created for ancillary measures at the seat of the arbitration, the seat could, in absence of choice, be selected by ...

	Response Percent	Response Count
An arbitration tribunal 	56.7%	17
EU state court 	16.7%	5
Appointing authority designated in the Regulation 	16.7%	5
Other (please explain): 	43.3%	13
answered question		30
skipped question		218

40. Would you like to answer some questions to help us with the data collection exercise?

	Response Percent	Response Count
Yes 	34.7%	35
No 	21.8%	22
I would like to look at the questions first. 	43.6%	44
<i>answered question</i>		101
<i>skipped question</i>		147

41. Is your organisation involved in business/trade with individual consumers in another country?


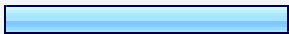
	Response Percent	Response Count
Yes 	20.4%	11
No 	46.3%	25
No, but I would still like to have a look at the questions. 	33.3%	18
<i>answered question</i>		54
<i>skipped question</i>		194

42. What type of goods/services does your company provide?





	Response Count
	8
<i>answered question</i>	8
<i>skipped question</i>	240

43. Can you estimate the number of consumer contracts your company has concluded in 2009?

If necessary, please just provide a broad estimate. (If 2009 data are not yet available, please provide data for the most recent time period available and indicate time period.)

	Response Percent	Response Count
No/Don't know 	57.1%	4
Yes; please estimate: 	42.9%	3
<i>answered question</i>		7
<i>skipped question</i>		241







44. Of those consumer contracts, approximately what was the proportion of cross-border consumer contracts?




	Response Percent	Response Count
None 	30.0%	3
1% to 24% 	40.0%	4
25% to 49%	0.0%	0
50% to 74%	0.0%	0
75% to 99%	0.0%	0
All 	10.0%	1
Don't know 	20.0%	2
<i>answered question</i>		10
<i>skipped question</i>		238

45. Approximately, what was the breakdown of cross-border consumer contracts by sales method?



	None	1%- 24%	25% to 49%	50% to 74%	75% to 99%	All	Don't know	Response Count
By internet	20.0% (1)	20.0% (1)	0.0% (0)	0.0% (0)	20.0% (1)	0.0% (0)	40.0% (2)	5
By telephone, email or fax	25.0% (1)	25.0% (1)	0.0% (0)	0.0% (0)	0.0% (0)	0.0% (0)	50.0% (2)	4
Via a retail outlet	50.0% (2)	25.0% (1)	0.0% (0)	0.0% (0)	0.0% (0)	0.0% (0)	25.0% (1)	4
Other	50.0% (1)	0.0% (0)	0.0% (0)	0.0% (0)	0.0% (0)	0.0% (0)	50.0% (1)	2
							If 'Other', please specify	0
							answered question	5
							skipped question	243

46. In which Member States are significant numbers of your customers based?

	Response Percent	Response Count
Austria 	20.0%	1
Belgium 	20.0%	1
Bulgaria	0.0%	0
Cyprus	0.0%	0
Czech Republic	0.0%	0
Denmark	0.0%	0
Estonia 	20.0%	1
Finland	0.0%	0
France 	20.0%	1
Germany 	20.0%	1
Greece	0.0%	0
Hungary	0.0%	0
Ireland 	20.0%	1
Italy	0.0%	0
Latvia	0.0%	0
Lithuania	0.0%	0
Luxemburg	0.0%	0
Malta	0.0%	0
Netherlands	0.0%	0
Poland	0.0%	0
Portugal	0.0%	0
Romania	0.0%	0
Slovakia	0.0%	0
Slovenia	0.0%	0

Spain		0.0%	0
Sweden		20.0%	1
United Kingdom		20.0%	1
Countries outside the EU (please specify)		40.0%	2
answered question			5
skipped question			243



47. Does your company have an advertising budget?

		Response Percent	Response Count
Yes		14.3%	1
No/Don't know		85.7%	6
answered question			7
skipped question			241

48. If yes, approximately, what is the breakdown of your company's advertisement budget by media type?

	None	1% to 24%	25% to 49%	50% to 74%	75% to 99%	All	Don't know	Response Count
Internet	0.0% (0)	0.0% (0)	0.0% (0)	0.0% (0)	0.0% (0)	0.0% (0)	100.0% (2)	2
Printed press	0.0% (0)	0.0% (0)	0.0% (0)	0.0% (0)	0.0% (0)	0.0% (0)	100.0% (2)	2
Television	0.0% (0)	0.0% (0)	0.0% (0)	0.0% (0)	0.0% (0)	0.0% (0)	100.0% (2)	2
Other	0.0% (0)	0.0% (0)	0.0% (0)	0.0% (0)	0.0% (0)	0.0% (0)	100.0% (1)	1
							Please specify	0
answered question								2
skipped question								246

49. Is your company's advertising aimed at specific consumer groups?

	Response Percent	Response Count
Yes 	40.0%	2
No/Don't know 	60.0%	3
<i>answered question</i>		5
<i>skipped question</i>		243

50. If yes, how does your company define these consumer groups? Please rank the following factors:

	Very important	Quite important	Neutral	Quite unimportant	Not important at all	Don't know	Response Count
Gender	0.0% (0)	0.0% (0)	66.7% (2)	0.0% (0)	0.0% (0)	33.3% (1)	3
Age	0.0% (0)	0.0% (0)	66.7% (2)	0.0% (0)	0.0% (0)	33.3% (1)	3
Nationality	0.0% (0)	0.0% (0)	66.7% (2)	0.0% (0)	0.0% (0)	33.3% (1)	3
Country	0.0% (0)	33.3% (1)	33.3% (1)	0.0% (0)	0.0% (0)	33.3% (1)	3
Language	33.3% (1)	0.0% (0)	33.3% (1)	0.0% (0)	0.0% (0)	33.3% (1)	3
Activity	0.0% (0)	50.0% (1)	0.0% (0)	0.0% (0)	0.0% (0)	50.0% (1)	2
Other (please specify and indicate importance)							0
<i>answered question</i>							3
<i>skipped question</i>							245

51. Assuming your company advertises online and targets certain consumer groups online, how does your company define these consumer groups? Please rank the following factors (if your company does not advertise online/target specific consumer groups, please click not applicable):

	Very important	Quite important	Neutral	Quite unimportant	Not important at all	Don't know	Not applicable
Gender	0.0% (0)	25.0% (1)	25.0% (1)	0.0% (0)	0.0% (0)	0.0% (0)	50.0% (2)
Age	0.0% (0)	25.0% (1)	25.0% (1)	0.0% (0)	0.0% (0)	0.0% (0)	50.0% (2)
Nationality	0.0% (0)	0.0% (0)	50.0% (2)	0.0% (0)	0.0% (0)	0.0% (0)	50.0% (2)
Country	0.0% (0)	25.0% (1)	25.0% (1)	0.0% (0)	0.0% (0)	0.0% (0)	50.0% (2)
Language	40.0% (2)	0.0% (0)	20.0% (1)	0.0% (0)	0.0% (0)	0.0% (0)	40.0% (2)
Activity	0.0% (0)	33.3% (1)	0.0% (0)	0.0% (0)	0.0% (0)	0.0% (0)	66.7% (2)
Other (please specify and indicate importance)							

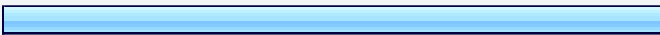
answered question

skipped question




52. Assuming your company advertises online and targets specific consumer groups, what is the approximate breakdown by consumer location? (If your company does not advertise online/target specific consumer groups, please click not applicable.)

	None	1% to 24%	25% to 49%	50% to 74%	75% to 99%	All	Don't know	Not applicable	Response Count
Consumers in own EU member state	0.0% (0)	0.0% (0)	25.0% (1)	25.0% (1)	0.0% (0)	0.0% (0)	0.0% (0)	50.0% (2)	4
Consumers in other EU Member States	0.0% (0)	25.0% (1)	25.0% (1)	0.0% (0)	0.0% (0)	0.0% (0)	0.0% (0)	50.0% (2)	4
Consumers outside the EU	0.0% (0)	50.0% (2)	0.0% (0)	0.0% (0)	0.0% (0)	0.0% (0)	0.0% (0)	50.0% (2)	4
<i>answered question</i>									4
<i>skipped question</i>									244

53. Does your company buy advertising space on internet search engines (e.g. Google) in countries other than it is based in?



	Response Percent	Response Count
No 	100.0%	4
Yes, please specify:	0.0%	0
<i>answered question</i>		4
<i>skipped question</i>		244

54. Has your organisation experience in dealing with a cross-border consumer dispute?



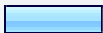


	Response Percent	Response Count
Yes 	26.9%	14
No 	40.4%	21
No, but I would still like to have a look at the questions. 	32.7%	17
<i>answered question</i>		52
<i>skipped question</i>		196

55. Can you estimate the number of consumer disputes your organisation has dealt with in 2009?

If necessary please provide a rough estimate. (If 2009 data are not yet available, please provide data for the most recent time period available and indicate time period.)

	Response Percent	Response Count
No/Don't know 	15.4%	2
Yes; please estimate: 	84.6%	11
<i>answered question</i>		13
<i>skipped question</i>		235




56. Of the overall consumer disputes your organisation has dealt with during that time period, approximately, what was the proportion of cross-border consumer disputes?

	Response Percent	Response Count
None 	14.3%	2
1% to 24% 	42.9%	6
25% to 49%	0.0%	0
50% to 74% 	14.3%	2
75% to 99%	0.0%	0
All 	21.4%	3
Don't know 	7.1%	1
	<i>answered question</i>	14
	<i>skipped question</i>	234

57. Can you provide an approximate breakdown of cross-border consumer disputes by type of dispute resolution?

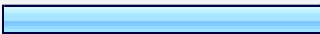

	None	1% to 24%	25% to 49%	50% to 74%	75% to 99%	All	Don't know	Response Count
Court	28.6% (2)	14.3% (1)	0.0% (0)	28.6% (2)	0.0% (0)	0.0% (0)	28.6% (2)	7
Arbitration	28.6% (2)	42.9% (3)	14.3% (1)	0.0% (0)	0.0% (0)	0.0% (0)	14.3% (1)	7
Mediation	11.1% (1)	22.2% (2)	11.1% (1)	11.1% (1)	0.0% (0)	22.2% (2)	22.2% (2)	9
Negotiation	11.1% (1)	11.1% (1)	22.2% (2)	11.1% (1)	11.1% (1)	11.1% (1)	22.2% (2)	9
Other	66.7% (2)	0.0% (0)	0.0% (0)	0.0% (0)	0.0% (0)	0.0% (0)	33.3% (1)	3
							If 'Other', please explain	2
answered question								11
skipped question								237

58. Does your organisation have experience of seeking the enforcement of judgments abroad/granting the enforcement of foreign court judgments (exequatur proceedings)?






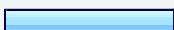
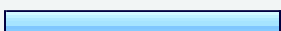



	Response Percent	Response Count
Yes 	39.6%	19
No 	27.1%	13
No, but I still would like to have a look at the questions. 	33.3%	16
answered question		48
skipped question		200


59. Can you estimate the number of exequatur proceedings (commencing, ongoing and completed) your organisation has been involved in during 2009?

If necessary, please just provide a rough estimate. (If 2009 data are not yet available, please provide data for the most recent time period available and indicate time period.)


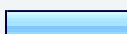




	Response Percent	Response Count
No/Don't know 	47.8%	11
Yes; please estimate: 	52.2%	12
	<i>answered question</i>	23
	<i>skipped question</i>	225





60. Referring to the exequatur proceedings in the above question, in which of the Member States did judgments originate most often?

	Response Percent	Response Count
Austria 	25.0%	3
Belgium 	16.7%	2
Bulgaria	0.0%	0
Cyprus	0.0%	0
Czech Republic	0.0%	0
Denmark 	16.7%	2
Estonia 	8.3%	1
Finland 	8.3%	1
France 	25.0%	3
Germany 	41.7%	5
Greece	0.0%	0
Hungary 	8.3%	1
Ireland	0.0%	0
Italy 	16.7%	2
Latvia	0.0%	0
Lithuania	0.0%	0
Luxemburg	0.0%	0
Malta	0.0%	0
Netherlands	0.0%	0
Poland	0.0%	0
Portugal 	16.7%	2
Romania	0.0%	0
Slovakia	0.0%	0
Slovenia	0.0%	0

Spain		8.3%	1
Sweden		8.3%	1
United Kingdom		16.7%	2
		answered question	12
		skipped question	236






61. Referring to the exequatur proceedings mentioned above, in which of the Member States was recognition and enforcement sought most often?

		Response Percent	Response Count
Austria		9.1%	1
Belgium		18.2%	2
Bulgaria		0.0%	0
Cyprus		0.0%	0
Czech Republic		0.0%	0
Denmark		0.0%	0
Estonia		0.0%	0
Finland		0.0%	0
France		9.1%	1
Germany		36.4%	4
Greece		9.1%	1
Hungary		0.0%	0
Ireland		0.0%	0
Italy		0.0%	0
Latvia		9.1%	1
Lithuania		0.0%	0
Luxemburg		0.0%	0
Malta		0.0%	0

Netherlands		0.0%	0
Poland		9.1%	1
Portugal		0.0%	0
Romania		0.0%	0
Slovakia		0.0%	0
Slovenia		0.0%	0
Spain		18.2%	2
Sweden		9.1%	1
United Kingdom		9.1%	1
answered question			11
skipped question			237

62. Approximately what proportion of exequatur applications that your organisation has been involved with during 2009 were granted?


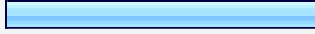

If necessary, please just provide a rough estimate.(If 2009 data are not yet available, please provide data for the most recent time period available and indicate time period.)

	Response Percent	Response Count
None	0.0%	0
1% to 24%	0.0%	0
25% to 49% 	14.3%	2
50% to 74% 	7.1%	1
75% to 99% 	21.4%	3
All 	42.9%	6
Don't know 	14.3%	2
Not applicable	0.0%	0
Can you name some reasons for refusal of exequatur application?		5
	answered question	14
	skipped question	234



63. In your experience, how long does it usually take to obtain an order for exequatur (from initiating the procedure until the decision is made)?

	Response Percent	Response Count
Up to a week 	6.7%	1
1-2 weeks	0.0%	0
2-3 weeks 	6.7%	1
3-4 week	0.0%	0
1-2 months 	20.0%	3
2-3 months 	20.0%	3
3-4 months 	6.7%	1
Over 4 months 	20.0%	3
Don't know 	20.0%	3
<i>answered question</i>		15
<i>skipped question</i>		233

64. Are there significant differences between Member States in terms of how long it takes from initiating the exequatur procedure until the decision is made?

	Response Percent	Response Count
No 	13.3%	2
Don't know 	46.7%	7
Yes - please explain 	40.0%	6
<i>answered question</i>		15
<i>skipped question</i>		233

65. Is it possible to estimate the average cost associated with seeking the recognition and enforcement of a judgment in another Member State?

	Response Percent	Response Count
No/ Don't know 	66.7%	10
Yes - please specify the (approximate) amount in Euros 	33.3%	5
answered question		15
skipped question		233

66. In percentage terms, can you provide a breakdown of the costs associated with seeking the recognition and enforcement of a judgment in another Member State? (Note: Total must add up to 100.)


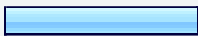

	Response Average	Response Total	Response Count
(1) Producing the required documentation	21.00	105	5
(2) Making the application in the court of the Member State concerned	48.33	290	6
(3) Serving the documents	11.00	55	5
(4) Translations	22.50	135	6
(5) Other costs (please specify below in Q9)	15.00	15	1
answered question		6	
skipped question		242	

67. Please specify 'Other costs' identified in Q8.



	Response Count
	1
<i>answered question</i>	1
<i>skipped question</i>	247

68. Does your organisation have experience with/is aware of at least one of the following regulations:




- (1) Regulation 805/2004 (European Enforcement Order for Uncontested Claims)**
- (2) Regulation 1896/2006 (European Order for Payment Procedure)**
- (3) Regulation 861/2007 (European Small Claims Procedure)**

	Response Percent	Response Count
Yes 	40.0%	18
No 	28.9%	13
No, but I still would like to have a look at the questions. 	31.1%	14
<i>answered question</i>		45
<i>skipped question</i>		203

69. Has your organisation ever been involved in the cross-border enforcement of a judicial decision/court order without having to go through intermediate proceedings (exequatur) on the basis of Regulations 805/2004, 1896/2006, or 861/2007?

	Response Percent	Response Count
No/Don't know 	65.0%	13
Yes 	35.0%	7
<i>answered question</i>		20
<i>skipped question</i>		228

70. If yes, has a defendant ever objected to the enforcement stating that he/she had not been served with the document introducing the court proceedings which led to the judgment/court order (see Article 19 of Regulation 805/2004 etc. - hereafter referred to as the 'special review proceedings')?

	Response Percent	Response Count
Yes, 	18.2%	2
No 	18.2%	2
Don't know 	63.6%	7
<i>answered question</i>		11
<i>skipped question</i>		237

71. In comparison to an application for exequatur, on average how expensive and time-consuming is the special review procedure?

	Much more	Slightly more	Similar	Slightly less	Much less	Don't know	Response Count
Expensive	0.0% (0)	8.3% (1)	33.3% (4)	8.3% (1)	8.3% (1)	41.7% (5)	12
Time-consuming	0.0% (0)	10.0% (1)	0.0% (0)	30.0% (3)	10.0% (1)	50.0% (5)	10
<i>answered question</i>							12
<i>skipped question</i>							236

72. In percentage terms, can you provide a breakdown of the costs associated with a typical case involving the special review procedure? (Note: Total must add up to 100.)


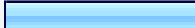

The costs of the special proceedings are limited to the extra-ordinary remedy launched by the defendant and that it does not include any new proceedings on the merits of the case whenever the case is re-opened on the merits.

	Response Average	Response Total	Response Count
(1) Producing required documentation	17.50	35	2
(2) Making application at the court of the Member State concerned	37.50	75	2
(3) Service of documents	15.00	30	2
(4) Translations	17.50	35	2
(5) Other costs (please specify below in Q5)	25.00	25	1
<i>answered question</i>			2
<i>skipped question</i>			246

73. Please specify 'Other costs' identified in the Q4 above.

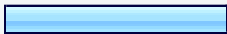
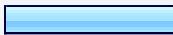
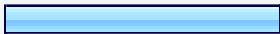
	Response Count
	2
<i>answered question</i>	2
<i>skipped question</i>	246

74. Does your organisation have experience of dealing with cross-border disputes involving parties not domiciled in one of the EU Member States?


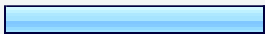




	Response Percent	Response Count
Yes 	44.4%	20
No 	28.9%	13
No, but I would still like to have a look at the questions. 	26.7%	12
<i>answered question</i>		45
<i>skipped question</i>		203

75. Can you estimate the total number of legal disputes that were commencing or ongoing during 2009 that your organisation has been involved in?

If necessary, please just provide a rough estimate. (If 2009 data are not yet available, please provide data for the most recent time period available and indicate time period.)


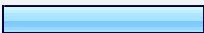

		Response Percent	Response Count
No/Don't know		33.3%	8
Not applicable		25.0%	6
Yes - please estimate:		41.7%	10
		<i>answered question</i>	24
		<i>skipped question</i>	224

76. Of the overall legal disputes commencing or ongoing during 2009 that your organisation has been involved in, approximately, what was the proportion of disputes involving EU parties and parties not domiciled in an EU Member State?

	Response Percent	Response Count
None 	13.0%	3
1% - 24% 	39.1%	9
25% - 49% 	8.7%	2
50% - 74% 	4.3%	1
75% - 99%	0.0%	0
All	0.0%	0
Don't know 	21.7%	5
Not applicable 	13.0%	3
<i>answered question</i>		23
<i>skipped question</i>		225


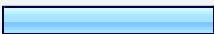

77. Can you estimate the number of legal disputes that were commencing or ongoing during 2009 that your organisation has been involved in, where the EU party (e.g. consumers/businesses) has brought action against a party domiciled outside of the EU?

If necessary, please just provide a rough estimate. (If 2009 data are not yet available, please provide data for the most recent time period available and indicate time period.)





	Response Percent	Response Count
No/Don't know 	50.0%	10
Not applicable 	30.0%	6
Yes - please estimate: 	20.0%	4
<i>answered question</i>		20
<i>skipped question</i>		228

78. Can you estimate the number of legal disputes that were commencing or ongoing in 2009 that your organisation has been involved in, where a party domiciled outside of the EU has brought action against an EU party (e.g. consumers/businesses)?







If necessary, please just provide a rough estimate. (If 2009 data are not yet available, please provide data for the most recent time period available and indicate time period.)

	Response Percent	Response Count
No/Don't know 	42.1%	8
Not applicable 	31.6%	6
Yes - please estimate: 	26.3%	5
<i>answered question</i>		19
<i>skipped question</i>		229

79. In approximately what proportion of legal disputes commencing/on going during 2009 and involving EU parties/parties not domiciled in the EU that your organisation has been involved in, have EU parties brought proceedings before the courts in countries outside the EU?

	Response Percent	Response Count
None 	41.2%	7
1% to 24% 	5.9%	1
25% to 49%	0.0%	0
50% to 74%	0.0%	0
75% to 99%	0.0%	0
All	0.0%	0
Don't know 	29.4%	5
Not applicable 	23.5%	4
answered question		17
skipped question		231

80. In approximately what proportion of legal disputes commencing/on going during 2009 and involving EU parties/parties not domiciled in the EU that your organisation has been involved in, have EU parties brought proceedings before the courts of states inside the EU?

	Response Percent	Response Count
None 	22.2%	4
1% to 24% 	22.2%	4
25% to 49% 	5.6%	1
50% to 74%	0.0%	0
75% to 99% 	5.6%	1
All	0.0%	0
Don't know 	22.2%	4
Not applicable 	22.2%	4
<i>answered question</i>		18
<i>skipped question</i>		230

81. In your experience, in which third states are the parties domiciled that are most commonly involved in legal claims against EU parties (e.g. consumers/businesses)?





	Response Count
	10
<i>answered question</i>	
10	
<i>skipped question</i>	
238	

82. In your experience, before the courts of which third states have EU parties (e.g consumers/businesses) most commonly had to bring proceedings?

	Response Count
	8
<i>answered question</i>	8
<i>skipped question</i>	240





83. Approximately, in what proportion of legal disputes your organisation has been involved in during 2009, were proceedings regarding the same dispute pursued before courts within and outside the EU (parallel proceedings)?

If necessary, please just provide a rough estimate. (If 2009 data are not yet available, please provide data for the most recent time period available and indicate time period.)

	Response Percent	Response Count
None 	29.4%	5
1% to 24% 	29.4%	5
25% to 49%	0.0%	0
50% to 74%	0.0%	0
75% to 99%	0.0%	0
All	0.0%	0
Don't know 	17.6%	3
Not applicable 	23.5%	4
<i>answered question</i>		17
<i>skipped question</i>		231

84. As a proportion of the overall applications for recognition and enforcement of judgments that your organisation has been concerned with in during 2009, how many judgments/court orders were given by the courts of countries outside the EU?




If necessary, please just provide a rough estimate. (If 2009 data are not yet available, please provide data for the most recent time period available and indicate time period.)

	Response Percent	Response Count
None 	25.0%	4
1% to 24% 	12.5%	2
25% to 49%	0.0%	0
50% to 74%	0.0%	0
75% to 99%	0.0%	0
All	0.0%	0
Don't know 	25.0%	4
Not applicable 	37.5%	6
	<i>answered question</i>	16
	<i>skipped question</i>	232



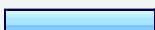



85. As a proportion of the overall applications for recognition and enforcement of third country judgments that your organisation has been involved in during 2009 (or the most recent time period for which data is available), how many were:-

	None	1% to 24%	25% to 49%	50% to 74%	75% to 99%	All	Don't know	Not applicable	Response Count
Successful (led to a declaration of enforceability)?	7.7% (1)	15.4% (2)	0.0% (0)	0.0% (0)	0.0% (0)	15.4% (2)	15.4% (2)	46.2% (6)	13
Unsuccessful (led to refusal)?	0.0% (0)	12.5% (1)	0.0% (0)	0.0% (0)	0.0% (0)	0.0% (0)	25.0% (2)	62.5% (5)	8
If unsuccessful, please specify reasons:									2
<i>answered question</i>									13
<i>skipped question</i>									235

86. Does your organisation have experience in arbitration?

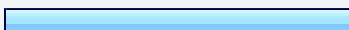

	Response Percent	Response Count
Yes 	46.9%	23
No 	22.4%	11
No, but I would still like to have a look at the questions. 	30.6%	15
<i>answered question</i>		49
<i>skipped question</i>		199

87. Generally speaking, how extensive is the use of arbitration clauses in the types of contracts concerning civil and commercial matters that your organisation has been involved with?







	Response Percent	Response Count
Always used 	7.4%	2
Very common 	37.0%	10
Quite common 	22.2%	6
Unusual 	18.5%	5
Not used at all 	3.7%	1
Don't know	0.0%	0
Not applicable 	11.1%	3
<i>answered question</i>		27
<i>skipped question</i>		221

88. Can you estimate the total number of arbitration proceedings commencing or ongoing during 2009 and involving one or more EU parties that your organisation has been involved in?

If necessary, just provide a rough estimate. (If 2009 data are not yet available, please provide data for the most recent time period available and indicate time period.)


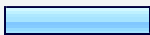



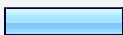
	Response Percent	Response Count
No/Don't know 	52.0%	13
Yes - please estimate: 	48.0%	12
<i>answered question</i>		25
<i>skipped question</i>		223

89. In approximately what proportion of those arbitration proceedings was the seat of arbitration not specified in the agreement?

	Response Percent	Response Count
None 	30.4%	7
1% to 24% 	21.7%	5
25% to 49%	0.0%	0
50% to 74%	0.0%	0
75% to 99% 	8.7%	2
All 	4.3%	1
Don't know 	21.7%	5
Not applicable 	13.0%	3
<i>answered question</i>		23
<i>skipped question</i>		225

90. Approximately what proportion of arbitration proceedings commencing or ongoing during 2009 and involving one or more EU parties that your organisation has been involved in, were conducted in a Member State different to that of the headquarters of the arbitration body concerned (e.g. ICC arbitration conducted outside France)?

If necessary, just provide a rough estimate.(If 2009 data are not yet available, please provide data for the most recent time period available and indicate time period.)


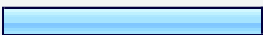
	Response Percent	Response Count
None 	21.7%	5
1% to 24% 	21.7%	5
25% to 49% 	4.3%	1
50% to 74% 	13.0%	3
75% to 99%	0.0%	0
All	0.0%	0
Don't know 	21.7%	5
Not applicable 	17.4%	4
<i>answered question</i>		23
<i>skipped question</i>		225

91. Approximately, what proportion of commencing or ongoing arbitrations, involving one or more EU parties that your organisation has been involved with during 2009 (or the most recent period for which data is available), were conducted according to the rules of an arbitration body based:-

	None	1% to 24%	25% to 49%	50% to 74%	75% to 99%	All	Don't know	Not applicable	Response Count
Inside the Member State of (at least) one of the parties?	5.3% (1)	5.3% (1)	10.5% (2)	10.5% (2)	5.3% (1)	15.8% (3)	26.3% (5)	21.1% (4)	19
Outside the Member State of either party?	11.8% (2)	5.9% (1)	11.8% (2)	23.5% (4)	0.0% (0)	0.0% (0)	23.5% (4)	23.5% (4)	17
<i>answered question</i>									21
<i>skipped question</i>									227

92. Can you estimate the number of applications that were made for enforcement of arbitration awards involving one or more EU parties during 2009 that your organisation was involved in?

If necessary, please just provide a rough estimate. (If 2009 data is not yet available, please provide most recently available data and indicate time period.)



	Response Percent	Response Count
No/Don't know 	61.1%	11
Yes; please estimate: 	38.9%	7
<i>answered question</i>		18
<i>skipped question</i>		230

93. Approximately what proportion of these applications was:-

	None	1% to 24%	25% to 49%	50% to 74%	75% to 99%	All	Don't know	Not applicable	Response Count
Successful?	0.0% (0)	0.0% (0)	0.0% (0)	7.1% (1)	14.3% (2)	21.4% (3)	21.4% (3)	35.7% (5)	14
Unsuccessful?	9.1% (1)	0.0% (0)	9.1% (1)	0.0% (0)	0.0% (0)	9.1% (1)	27.3% (3)	45.5% (5)	11
Where enforcement was not ordered, what were some of the most common reasons for it?									2
<i>answered question</i>									15
<i>skipped question</i>									233

94. Can you estimate the number of cases that your organisation has been involved in during 2009, where agreements to arbitrate (involving at least one EU party) were challenged before the courts?

If necessary, please just provide a rough estimate. (If 2009 data is not yet available, please provide most recently available data and indicate time period.)



	Response Percent	Response Count
No/Don't know 	66.7%	12
Yes - please estimate: 	33.3%	6
<i>answered question</i>		18
<i>skipped question</i>		230

95. What are the most common reasons for such a challenge and how could, in your opinion, such a risk be avoided?





	Response Count
	5
<i>answered question</i>	5
<i>skipped question</i>	243

96. Can you estimate the number of cases during 2009 that your organisation has been involved in, where as well as arbitration proceedings, parallel court proceedings arising from the same dispute were being initiated/taking place?

If necessary, please just provide a rough estimate. (If 2009 data is not yet available, please provide most recently available data and indicate time period.)

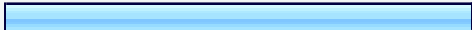

	Response Percent	Response Count
No/Don't know 	68.4%	13
Yes - please estimate: 	31.6%	6
<i>answered question</i>		19
<i>skipped question</i>		229

97. In your experience, approximately how often do parties litigate in court when putting or resisting arbitration proceedings in motion?








	Response Percent	Response Count
Always	0.0%	0
Often 	5.6%	1
Sometimes 	55.6%	10
Seldom 	16.7%	3
Never	0.0%	0
Don't know 	16.7%	3
Not applicable 	5.6%	1
What are some of the reasons for such court disputes?		5
	answered question	18
	skipped question	230



98. Can you estimate the number of applications for provisional and/or protective measures in support of proceedings submitted/to be submitted to arbitrations your organisation has been involved with during 2009?

If necessary please just provide a rough estimate.(If 2009 data are not yet available, please provide data for the most recent time period available and indicate time period.)

	Response Percent	Response Count
No/Don't know 	70.6%	12
Yes - please estimate: 	29.4%	5
	answered question	17
	skipped question	231

99. Can you indicate some types of provisional/protective measures that are available in the different EU Member States?

	Response Percent	Response Count
Austria 	20.0%	1
Belgium 	20.0%	1
Bulgaria	0.0%	0
Cyprus	0.0%	0
Czech Republic	0.0%	0
Denmark	0.0%	0
Estonia	0.0%	0
Finland	0.0%	0
France 	40.0%	2
Germany 	20.0%	1
Greece	0.0%	0
Hungary	0.0%	0
Ireland	0.0%	0
Italy 	20.0%	1
Latvia 	20.0%	1
Lithuania	0.0%	0
Luxemburg	0.0%	0
Malta	0.0%	0
Netherlands 	40.0%	2
Poland	0.0%	0
Portugal	0.0%	0
Romania	0.0%	0
Slovakia	0.0%	0
Slovenia	0.0%	0

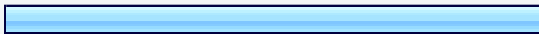
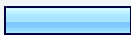
Spain		20.0%	1	
Sweden		0.0%	0	
UK		60.0%	3	
			answered question	5
			skipped question	243

100. In your experience, which courts are most commonly approached in connection with obtaining provisional/protective measures?

	Always	Often	Sometimes	Seldom	Never	Don't know	Response Count	
Courts of the place/seat of arbitration	13.3% (2)	46.7% (7)	20.0% (3)	0.0% (0)	0.0% (0)	20.0% (3)	15	
Courts of Member States where one of the parties is domiciled	0.0% (0)	26.7% (4)	33.3% (5)	20.0% (3)	0.0% (0)	20.0% (3)	15	
Courts where the obtaining of provisional/protective measures is most convenient	0.0% (0)	46.7% (7)	26.7% (4)	6.7% (1)	0.0% (0)	20.0% (3)	15	
Courts of Member States where seizable property is situated	0.0% (0)	61.5% (8)	15.4% (2)	0.0% (0)	0.0% (0)	23.1% (3)	13	
Other	0.0% (0)	0.0% (0)	0.0% (0)	0.0% (0)	0.0% (0)	100.0% (5)	5	
If Other, please specify:							0	
							answered question	16
							skipped question	232

101. Can you estimate the number of applications for ancillary measures in support of proceedings submitted/to be submitted to arbitrations your organisation has been involved with during 2009?

If necessary, please just provide a rough estimate. (If 2009 data are not yet available, please provide data for the most recent time period available and indicate time period.)

	Response Percent	Response Count
No/Don't know 	81.3%	13
Yes - please estimate: 	18.8%	3
answered question		16
skipped question		232

102. In your experience, which courts are most commonly approached in connection with obtaining ancillary measures?

	Always	Often	Sometimes	Seldom	Never	Don't Know	Response Count
Courts of the place/seat of arbitration	23.1% (3)	53.8% (7)	0.0% (0)	0.0% (0)	0.0% (0)	23.1% (3)	13
Courts of the Member State where one of the parties is domiciled	0.0% (0)	15.4% (2)	38.5% (5)	15.4% (2)	7.7% (1)	23.1% (3)	13
Courts where the obtaining of ancillary measures is most convenient	0.0% (0)	53.8% (7)	15.4% (2)	0.0% (0)	7.7% (1)	23.1% (3)	13
Other	0.0% (0)	16.7% (1)	0.0% (0)	0.0% (0)	0.0% (0)	83.3% (5)	6
If Other, please specify							0
answered question							14
skipped question							234

103. Please use the space below for any additional comments:

	Response Count
	14
<i>answered question</i>	14
<i>skipped question</i>	234

104. If you would like to discuss the study in more detail, please provide your contact details below and a member of our team will be in touch.

	Response Percent	Response Count
Name: <input type="text"/>	88.9%	32
Organisation: <input type="text"/>	100.0%	36
Country: <input type="text"/>	100.0%	36
Email address: <input type="text"/>	91.7%	33
Phone number: <input type="text"/>	77.8%	28
	<i>answered question</i>	36
	<i>skipped question</i>	212