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As argued by Bernstein & Lookofsky, Understanding the CISG in Europe (The Hague 1997) p. 26, the use of Article 7(2) to determine the place of damages payment has no meaning unless the payment of damages is the relevant 'obligation' for German procedural purposes, which is not the case: in an action by a German buyer against an American seller seeking indemnification against possible third party personal injury claims, the relevant obligation is the seller's (Article 35) duty to deliver ...

## Joseph Lookofsky

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