



RADICATI DI BROZOLO  
SABATINI  
BENEDETTELLI  
TORSELLO

## Marco Torsello

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### EDUCATION

- LL.M. in European Business Law (Pallas Consortium, University of Nijmegen, NL, 1998)
- Degree in Law (University of Bologna, 1994)

### ADMISSIONS

- Bologna Bar
- Italian Supreme Court

### LANGUAGES

- Italian; English; French

### PROFILE

Marco is of counsel at ArbLit since September 2014 in his capacity as practicing lawyer based in Milan and Bologna and he is in charge of litigation before Italian courts for national and international clients.

He is also Professor at the School of Law of the University of Verona, where he teaches Comparative Private Law and European Private Law, and Hauser Global Professor of Law at NYU School of Law (Law-Abroad program in Paris, Spring 2015; in residence in New York, Fall 2015). At Verona Law School Marco is a member of the scientific committee of the PhD program in European and International Legal Studies, and the Director of the post-graduate courses in International Commercial Contracts and in Transnational and Comparative Food Law. He currently teaches also Transnational Commercial Law at the School of Law of Università Cattolica in Milan.

Marco is the author or co-author of several books and papers on a variety of issues dealing with international contracts, international business transactions, comparative law, corporate law and others. He is a frequent speaker at academic and practitioners' conferences, symposia, workshops and courses, in Italy and abroad.



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He has held the following teaching and research appointments abroad: Hauser Global Visiting Professor of Law, NYU School of Law (Law-Abroad program in Paris, Spring 2014 and Spring 2015; in residence, Fall 2011 and Fall 2015); Visiting Professor of Law, Fordham Law School, New York (Fall 2012); Visiting Professor of Law, University of Pittsburgh School of Law (Fall 2010); 2004/2005 BNL Visiting Professor of Law, Columbia Law School, New York (Fall 2004); Professeur invité, Université Paris Ouest ? Nanterre, La Défense (1-month appointments from 2006 to 2013); Visiting Professor of Law, Loyola Law School Los Angeles (LL.M. Program in Bologna, Spring 2007, 2009 and 2010); January Term Visiting Professor of Law, University of Western Ontario, Canada (January 2007), Visiting Professor of Law, Loyola University Chicago (Teaching Abroad program in Strasbourg, June-July 2006); Visiting Scholar, Columbia Law School, New York (Fall 2003); Visiting Scholar, Max-Planck-Institute für Ausländisches und Internationales Privatrecht, Hamburg (Fall 2005). He has also held teaching positions at the following Italian Universities: University of Bologna, School of Law (tenured, 2002-2011); University Politecnico, Milan (2010-2014), University of Trento, School of Law (2005, 2007, 2009), University of Padova, School of Political Sciences (2000-2010), and others.

Marco was also the delegate for the Italian Government at the XXIII Session of the UNCITRAL Working Group on International Contract Practices (2000), working on the draft UN Convention on Assignment of Receivables in International Trade.

Since his start in 1994 Marco's professional activity focuses on national and international litigation and consultancy on contractual and other business-related issues. He began his professional career at Studio Legale Jacchia in Bologna (1994-1998) and then joined Studio Legale Galgano, operating in Bologna and Milan (1998-2006). In 2006 he founded the private practice boutique firm Studio Legale Vanz-Torsello, based in Bologna.

In his two decades of practice, which greatly benefitted from his scholarly work, Marco has advised and represented top Italian and foreign clients in a broad variety of matters and has developed specific skills and knowledge in transnational litigation and cross-border business matters. He also often appears as counsel and sits as presiding, sole and party appointed arbitrator in ad hoc and institutional domestic and international arbitrations under a variety of rules and governing laws and works extensively in court proceeding assisting arbitration.



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## **PUBLICATIONS**

### **International Contracts**

#### BOOKS

International Sales Law - CISG in a Nutshell, (co-authored with Franco Ferrari) XX, 415 (St Paul, 2014)

Gli Incoterms® 2010 della Camera di Commercio Internazionale (co-edited with Greta Tellarini) VI, 226 (Naples, 2012)

Il contratto internazionale. Diritto comparato e prassi commerciale (co-authored with Aldo Frignani) XXIX, 1027 (Padova, 2010)

Common Features of Uniform Commercial Law Conventions. A Comparative Study Beyond the 1980 Uniform Sales Law VIII, 344 (Munich, 2004)

#### ARTICLES

"The Effects of Financial Crises on the Binding Force of Contracts: Renegotiation, Rescission or Revision?", in Italian National Reports to the XIXth International Congress of Comparative Law, Vienna 2014, 111-149 (Milan, 2014)

"Pre-Contractual Liability and Preliminary Agreements", in Larry Di Matteo (ed.), International Sales Law: A Global Challenge 630-646 (Cambridge, 2014)

"Rimedi all'inadempimento nella Convenzione di Vienna del 1980 sulla vendita internazionale di beni mobili", Contratto e impresa / Europa 296-344 (2013)

"Gli usi nella Convenzione di Vienna sulla vendita internazionale di beni mobile" (co-authored with Aldo Frignani), Contratto e impresa / Europa 407-417 (2013)

"Remedies for Breach of Contract", in Jan Smits (ed.), Elgar Encyclopedia of Comparative Law 754-776 (2nd ed., Cheltenham - Northampton, 2012)

"Articles 1-15 (Disposizioni sulla legge in generale)"; "Articles 1173-1174"; "Articles 1678-1702", in Francesco Galgano (ed.), Commentario breve al codice civile (5th ed., Piacenza, 2012)

"I rimedi all'inadempimento", in Francesco Galgano, Franco Ferrari e Gianmaria Ajani (eds.), Atlante di diritto privato comparato 144-154 (5th ed., Bologna, 2011)

"Preliminary Agreements and CISG Contracts", in Harry Flechtner, Ronald Brand, Mark Walter (eds.), Drafting Contracts under the CISG 191-252 (Oxford, 2008)

"Substantive and Jurisdictional Aspects of International Contract Remedies: Comment on Avery Katz's



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'Remedies under the CISG' ", 25 International Review of Law and Economics 397-410 (2005)

"Remedies for Breach of Contract under the 1980 Convention on Contracts for the International Sale of Goods (CISG)", 9 Vindobona Journal of International Commercial Law and Arbitration, 253-290 (2005), also in Franco Ferrari (ed.), Quo Vadis CISG? Celebrating the 25th Anniversary of the United Nations Convention on Contracts for the International Sale of Goods 43-87 (Brussels/Paris/Munich, 2005)

"Transfer of Ownership and the 1980 Vienna Sales Convention: A Regretful Lack of Uniform Regulation?", International Business Law Journal - Revue de Droit des Affaires Internationales 939-951 (2000)

## **Business and Commercial Law**

### ARTICLES

"Financial Leasing in Italy" (co-authored with Aldo Frignani), Uniform Law Review - Revue de droit uniforme 351-371 (2011)

"Il factoring internazionale" (co-authored with Aldo Frignani), in Piazzetta Monte, available on-line at:

"La disciplina uniforme del leasing finanziario internazionale", in Aldo Berlinguer (ed.), Finanziamento e internazionalizzazione di impresa 187-213 (Turin, 2007)

"Convenzione Unidroit sul Factoring Internazionale (1988)", in Franco Ferrari (ed.), Le Convenzioni di Diritto del Commercio Internazionale. Codice essenziale con regolamenti comunitari e note introduttive 119-150 (2 ed., Milan, 2002)

"The relationship Between the Parties to the Factoring Contract According to the 1988 Unidroit Convention on International Factoring", in Alfredo Mordechai Rabello, Andrea Zanotti (eds.), Developments in European, Italian and Israeli Law 269-290 (Milan, 2001)

"Partecipazione a scopo di finanziamento e patto leonino parasociale", Contratto e Impresa 896-918 (2000)

"The relationship between the parties to the factoring contract according to the 1988 Unidroit Convention on International Factoring - Les relations entre les parties au contrat d'affacturage régi par la Convention Unidroit de 1988 sur le Factoring International", International Business Law Journal - Revue de Droit des Affaires Internationales 43-59 (2000)

"I rapporti tra le parti del contratto di factoring tra disciplina uniforme e molteplicità delle fonti", Contratto e Impresa 538-618 (1999)



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## **Comparative and Uniform of Law**

### ARTICLES

"Gli Incoterms® 2010: dalla espressione della lex mercatoria alla prospettiva di una soft law competition", in Greta Tellarini and Marco Torsello (eds.), *Gli Incoterms 2010 della Camera di Commercio Internazionale* 215-226 (Naples, 2012)

"Foreign Judge-made Law e sua ricezione nel diritto interno", in Gianmaria Ajani, Antonio Gambaro, Michele Graziadei, Rodolfo Sacco, Vincenzo Vigoriti, Michel Waelbroek (eds.), *Scritti in onore di Aldo Frignani* 479-500 (Turin, 2011)

"Il valore del precedente extrastatuale nell'applicazione del diritto interno: circolazione del formante giurisprudenziale e uso della giurisprudenza straniera nelle corti italiane", *Contratto e Impresa / Europa* 6-31 (2009)

"Italy", in Franco Ferrari (ed.), *The CISG and its Impact on National Legal Systems* 187-224 (Munich, 2008)

"L'uniformazione del diritto europeo dei contratti e le due torri di Babele: particolarismo giuridico e plurilinguismo nella prospettiva comparatistica", in Lucia Serena Rossi, Giacomo DI Federico (eds.), *L'incidenza del diritto dell'Unione europea sullo studio delle discipline giuridiche* 111-127 (Naples, 2008)

"The CISG's Impact on Legislators: The Drafting of International Contract Law Conventions", Franco Ferrari (ed.), *The 1980 Uniform Sales Law. Old Issues Revisited in the Light of Recent Experiences* 199-275 (Milan, 2003)

"Reservations to International Uniform Commercial Law Conventions", *Uniform Law Review - Revue de Droit Uniforme* 85-120 (2000)