

## **Juridical Protection to Consumers in Electronic Contracts: Need of a Uniform International Law**

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**Abstract :** Electronic commerce facilitates increased choice and information on goods or services for consumers but at the same time it compounds the inequality of bargaining power many consumers face when contracting with sellers. Due to the 'inequality of bargaining power' experienced by consumers when contracting by electronic means with business sellers in different jurisdictions, it may be difficult to determine where either the consumer is domiciled or the place where the seller is situated or conducts its business. The question arises in such situation that if one party wants to sue the other, then where can one sue? Which court has jurisdiction to try international conflicts arising from electronic contracts concluded through the internet? Will the same rules applicable to conventional contracts apply? Or should other considerations be taken into account? In all these situations the degree of consumer protection in electronic contracts comes into picture. In the light of the above, the paper discusses the jurisdiction and choice of law rules applied in EU and United States. Further, the paper considers the current uncertainty plaguing questions of jurisdiction in India. Therefore, the jurisdiction and choice of law rules for electronic contracts must be applied consistently and provide an automatic, harmonised rule in favour of the consumer's jurisdiction and law. Lastly, the paper suggests the need for a uniform law in order to achieve effective juridical protection.

**Keywords :** electronic commerce, electronic contracts, jurisdiction, consumer protection

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