

Contract disputes

Much of the work handled by our litigation & dispute resolution lawyers is in some way connected with the formation or breakdown of contractual relations.

Areas of dispute

We act in all types of contract dispute, including:

- contracts for the supply of goods and services
- finance and loan arrangements
- commercial agency & franchise agreements
- share sale and other business sale transactions
- IT & intellectual property contracts
- contracts relating to the lease or sale of land and property.

Strategic advice

We regularly advise clients on strategies to exit from contracts they no longer see as commercially attractive. We also act for clients in breach of contract claims, including advice on the level of damages and financial exposure in the claim.

Legal principles

The field of contract law is vast. We summarise below a few of the legal principles that commonly arise within contract disputes.

Limitation and exclusion clauses

If properly drafted, these can act to exclude or limit liability in the event of certain breaches. Often, parties have simply not considered the potential consequences of a breach and whether the terms that apply to the contract reflect that.

Jurisdiction clauses

When a client's business involves international trade, they will often wish to ensure that any dispute is dealt with by the English courts, applying English law.

Contact

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Retention of title clauses

If a contract relates to the provision of goods, such clauses can sometimes give the seller the right to recover goods that have not been paid for.

Quality and other assurances

Unless these are dealt with in the contract, there are terms that can be implied under the sale of goods and services legislation.

Time of performance and the consequences

If the contract is not carefully drafted, a party may be unable to terminate it if the other party is late. Even then, there may be some difficulty in claiming any loss they believe resulted from the delay.

Advice

There is a vast array of case law and legislation governing contract law. Our experienced team provides informed and practical advice to enable clients to achieve the best outcome.

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