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A forum selection clause in a contract with a conflict of laws element allows the parties to agree that any disputes relating to

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that contract will be resolved in a specific forum. They usually operate in conjunction with a choice of law clause which determines the proper law of the relevant contract. There are three principal types of clause: that all disputes must be litigated in a particular court in a jurisdiction agreed upon by the parties; that disputes must be resolved pursuant to a dispu

Forum selection clause - Wikipedia

Jurisdiction and forum selection 2nd ed. This edition published in 1999 by West Group in [Eagan, MN] (610 Opperman Dr., Eagan 55123).

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A number of recent cases highlight the importance of not just selecting the preferred governing law (and its close cousin, the forum selection clause, which identifies the courts where disputes will be resolved), but also of properly drafting the contract provisions to give maximum effect to those choices.

Governing Law and Forum Selection Clauses

A forum selection clause seeks to provide a court with "personal jurisdiction" and to establish "venue." Personal jurisdiction is the court's power to exercise authority over a party. Venue is the physical location where a court exercises its power. Thus, a forum selection clause seeks to provide a court located in a specific location with the power to resolve a dispute. Courts have historically declined to enforce forum selection clauses, . In *M/S Bremen v.*

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The contract, executed by the customer in Missouri, contained a choice-of-law and forum-selection clause that provided, in pertinent part: "Any dispute arising under this agreement shall be under the jurisdiction and governed by the laws of the State of New York.

Forum Selection Clauses and Personal Jurisdiction | Baker

...

This Commentary discusses the jurisdictional limitations of forum-selection clauses, the inconsistencies with their enforceability, and the potential for the establishment of a standardized procedure to enable companies to evaluate forum-selection clauses with more certainty going forward. Companies that do business outside their own backyards frequently rely on carefully drafted forum-selection clauses to limit their risk (reducing litigation expenses and avoiding the threat of hostile ...

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A forum selection clause is unreasonable and invalid if the objecting party demonstrates that (1) the forum selection clause is the result of fraud or overreaching, (2) its enforcement would violate a strong public policy of the forum, or (3) its enforcement would result in litigation so seriously inconvenient and unreasonable that it would deprive a litigant of his or her day in court.

Jurisdiction and Venue (Forum Selection) | Recreation

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Law

“Permissive forum selection clauses, often described as “consent to jurisdiction” clauses, authorize jurisdiction and venue in a designated forum, but do not prohibit litigation elsewhere. . . .

Jurisdiction and Venue (Forum Selection) | Recreation Law

Forum Selection. The parties agree that the exclusive jurisdiction for any lawsuit related to or arising under this Agreement shall be in the Circuit Court for Tazewell County, Virginia or the United States District Court for the Western District of Virginia.

Forum Selection Sample Clauses - Law Insider

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A non-exclusive forum selection clause merely provides that the parties consent to jurisdiction or venue in the chosen forum. In many cases, one party will argue that a clause is exclusive while the other will argue that the clause is non-exclusive.

Interpreting Forum Selection Clauses - Iowa Law Review

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D)and jurisdiction over Dow Jones was established because under American law, the defendant's website was interactive and sufficiently established minimum contacts, creating jurisdiction. C)and publication of the article occurred when the article appeared and could be read on a user's computer screen, establishing jurisdiction in Australia.

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