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ABRUPT TERMINATION OF A LONG-STANDING BUSINESS RELATIONSHIP AND ACTION FOR DAMAGES

THE ABRUPT TERMINATION OF A LONG-STANDING
BUSINESS RELATIONSHIP CONCERNS MATTERS
RELATING TO A CONTRACT

CJEU 14.07.2016, C-196/15, Granarolo SpA/Ambrosi Emmi France SA



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By a judgment of the 14th of July 2016, the Court of Justice of the European Union ruled, basing on the Brussels I Regulation, now replaced by the Brussels I Recast, that a damage action based on a abrupt termination of a long-standing business relationship was a matter relating to contract, (at least) if a tacit contractual relationship existed between the parties.

This solution is the opposite of the position defended by the “Chambre commerciale” (Commercial chamber) of the French Supreme Court, considering the abrupt termination of a long-standing business relationship as a tort law action.

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