

EUCON Conciliation Procedure Explanatory Notes for the Applicant

General information on the application:

- A conciliation request can be submitted to EUCON by post, fax (089 / 57 86 95 38) or e-mail (antrag@eucon-institut.de). If the request is submitted by post, please note that EUCON – in contrast to the courts – does not maintain a night letterbox. It is advisable to inform EUCON in advance of an intended application. In the applicant's own interest, it is strongly recommended that the conciliation request be submitted in good time, especially as, pursuant to Section 2.4 of the EUCON Conciliation Procedure Rules, the applicant bears the burden of proving that the conciliation request was submitted in good time.
- Submission by post, fax (089 / 57 86 95 38) or e-mail (antrag@eucon-institut.de)
- If submitting by post, please enclose the original request and one copy for each respondent
- The request may also be submitted in English

Suspension of the statute of limitations:

- For the statute of limitations to be suspended pursuant to Section 204 (1) No. 4 of the German Civil Code (BGB), the claim must be sufficiently specific. EUCON does not check whether the request is sufficiently specific. Consultation with a lawyer is recommended.

Payment of the procedural fee:

- The procedural fee in accordance with the EUCON fee schedule valid at the time is due upon submission of the conciliation request. After receipt of the request, the applicant will receive an invoice for the procedural fee. The request will not be served on the respondent before payment has been received.

Important notes:

- Please note: If the respondent has already clearly stated that it does not wish to participate in conciliation proceedings, a request submitted nevertheless may under certain circumstances constitute an abuse of rights and would then not suspend the statute of limitations (for details, see Federal Court of Justice (BGH), judgment of 28 October 2015, case no. IV ZR 526/14).

EUCON – Europäisches Institut
für Conflict Management e.V.
Brienner Str. 9
80333 Munich

Received by the conciliation body on:

Request for the Initiation of an EUCON Conciliation Procedure

With regard to the following subject matter of the dispute, the parties hold differing views. In order to avoid costly and time-consuming litigation, I/we wish to work out a solution together with the support of a qualified and experienced conciliator. I/we would like to make use of the positive experience reported by EUCON.

With this understanding, I/we apply for the initiation of a conciliation procedure in accordance with the version of the EUCON Conciliation Procedure Rules valid at the time of the application.

The applicant(s) hereby agree(s) to the EUCON Conciliation Procedure Rules and the EUCON Conciliation Procedure Fee Schedule.

I. Parties

1. Applicant

Name, first name / company	
Legal representative (for legal entities)	
Address for service <i>Street, house number, postcode, town</i>	
Contact details <i>Phone, fax, e-mail</i>	

Legal representation (if any)	
Address <i>Street, house number, postcode, town</i>	
Contact details <i>Phone, fax, e-mail</i>	

2. Respondent

Name, first name / company	
Legal representative (for legal entities)	
Address for service <i>Street, house number, postcode, town</i>	
Contact details <i>Phone, fax, e-mail</i>	

Legal representation (if any)	
Address <i>Street, house number, postcode, town</i>	
Contact details <i>Phone, fax, e-mail</i>	

II. Subject matter of the dispute

Claim / subject matter of the request / statement of the facts of the case (use a separate sheet if necessary)



The provisional value in dispute in euros:



Place, date, signature