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Acceptance by telex and email.

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Law in Two Hours ~~GUIDELINES TO
ANSWER PROBLEM BASED
QUESTION- POSTAL RULE Offer and
Acceptance in Contract Law The
Postal Acceptance Rule In
(Yamaguchi, 2004) According to
Adams v Lindsell [1818] and
Henthorn v Fraser [1892], the postal~~

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Digital Age rule was stated as “ Where the circumstances are such that it must have been within the contemplation of the parties that, according to the ordinary usages of mankind, the post might be used as a means of communicating the acceptance of an offer, the acceptance is complete as it

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Postal Rule of Acceptance -
LawTeacher.net

1.0 POSTAL ACCEPTANCE RULE The postal rule is first created in Adam v Lindsell 1818. The court had to decide the contract formation period

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by mail. Two parties will communicate by post which the acceptance time could not be determined. This is because that mailing often last for few days and both parties could not [...]

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postal acceptance rule an offer is accepted when the acceptance is posted. This means that a binding contract is formed and, accordingly, the person who made the offer cannot sell to another without being liable in damages for breach of contract.

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Postal acceptance rule legal definition
of postal ...

Four main justifications of Postal
Acceptance Rule i. ' Ad infinitum '
Justification Postal rule had existed
almost for 200 years and the post had
been creating problems for people
which the courts are obliged to solve

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them logically. Why it had been creating so many problems for people and that we will be discussing later on.

Postal Rule of Acceptance -
PHDessay.com

The postal rule is exclusion to the

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digital age, which dictates that acceptance is effectual on receipt. The rationale behind the postal rule is that it encourages contracting by parties at a distance by making the person in the position of giving an acceptance just as protected as if the contract was being completed face to face.

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The Postal Acceptance Rule in Contract Law - Free Essay ...

The posting rule is an exception to the general rule of contract law in common law countries that acceptance of an offer takes place when communicated. Under the

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posting rule, that acceptance takes effect when a letter is posted. In plain English, the "meeting of the minds" necessary to contract formation occurs at the exact moment word of acceptance is sent via post by the person accepting it, rather than when that acceptance is received by the

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person who offered the contract. The
rules of cont

Posting rule - Wikipedia

The postal rule is an exception to the
general rule that contract acceptance
must be communicated directly to the
offeror and acceptance is only

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effective when the offeror receives that acceptance. The acceptance is actually effective as soon as the offeree mails the acceptance, according to Cornell University Law School.

What Is the Postal Rule in Contract

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The still ongoing argument is that the postal rule only applies when the offer contemplates acceptance by non-instantaneous means of communication. In conclusion, and increased reliance on electronic communications, it is perhaps time

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the postal rule was restated for the
21st century.

Relevance of the postal rule of
acceptance

3.1 The postal rule Where it is agreed
that the parties will use the post as a
means of communication the postal

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rule will apply. The postal rule states that where a letter is properly addressed and stamped the acceptance takes place when the letter is placed in the post box. The leading authority that established the postal rule is:

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Postal Rule - Rules And Processes For
Various Legal ...

A rule of contract law that makes an exception to the general rule that an acceptance is only created when communicated directly to the offeror. An acceptance is binding and the contract is said to be perfected when

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the acceptor places this acceptance in the mail box for return mail even if, in fact, it never reaches the offeror.

Postal Rule Definition - Duhaime.org
The postal acceptance rule, also called the mailbox rule, is a contract law regarding the mailing of acceptance

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Digital Age or offer letters through the postal system. The rule states that when the letter is mailed, the person assumes that acceptance is deemed to occur, meaning the letter will reach its destination.

Advantages of the postal acceptance

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If the acceptance is communicated through post or telegram, it is deemed the offer has been accepted once the letter of acceptance has been posted Adams v Lindsell(1818), the letter or telegram must be correctly addressed and stamped and posted for this rule

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Digital Age. The postal rule can be overturned where the offer stipulates that the acceptance must be received in a certain manner.

Postal Rule Is a Historical Ruling -
LawTeacher.net

The Postal Rule says that acceptance

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Digital Age takes effect the moment the letter of acceptance is posted (dropped into the postbox or handed over to the mail person collecting the mail).

The Postal Rule | thelegalarguments
The postal rule provides certainty for the acceptor as he knows that there is

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a binding contract as soon as he posts his letter of acceptance. The offeror can create certainty for himself by stipulating that he must receive acceptance before it is binding or setting other such limits.

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Digital Age Acceptance: Postal Rule

Adams v Lindsell (1818) 1 B & Ald 681, is an English contract case regarded as the first case towards the establishment of the "postal rule" for acceptance of an offer. Ordinarily, any form of acceptance must be communicated expressly to an offeror

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; however, it was found that where a letter of acceptance is posted, an offer is accepted "in course of post".

Adams v Lindsell - Wikipedia

THE POSTAL RULE OF ACCEPTANCE

A formation of a contract requires an agreement, it follows that, in order for

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Such agreement to be reached, there must be an offer made by one party which is accepted by the other. An acceptance is that, a final and unqualified expression of assent to the terms of an offer.

THE POSTAL RULE OF ACCEPTANCE -

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The postal rule – Acceptance sent through the post When does an acceptance sent through the post become effective? The answer to this question determines where and when the contract is formed, and allows to answer to three important questions :

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Did the offeree miss the deadline proposed by the offeror to accept the offer?

The postal rule – Acceptance sent through the post, 01/11 ...

This is known as the postal rule – a letter of acceptance takes effect when

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it is posted. Quote “ if the defendants were not bound by their offer until the answer was received, then the plaintiffs would not be bound until they had received word that the defendants had received their acceptance, and this could go on indefinitely.

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Seminar paper from the year 2015 in
the subject Law - Media, Multimedia
Law, Copyright, grade: 1,0, University
of Applied Sciences Osnabrück,
course: Contract Law, language:

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English, abstract: This paper seeks to answer the question, if, and if so, how, the postal rule can be applied to modern technologies, the e-mail in particular. Since a contract is an important part of every day life and has an essential role in economical transactions, this is a question that

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has to be discussed. The two principal elements of a contract, offer and acceptance, have to be properly communicated. The way people communicate with each other has drastically changed over the last century, but some principles and theories of the English law system

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Digital Age that are in use are centuries old. One such principle is the postal rule of acceptance. Over the course of years since the rule was introduced in the early 19th century, technology and ways of communication have change. Nowadays offer and acceptance are communicated more and more

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Digitally besides the traditional way of written letters. Therefore, complications have arisen in applying the postal rule. One such complication is how the postal rule can be, and if it should be, applied to the forming of contracts via e-mail. The courts have not yet decided if this is the case.

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Modern technologies like the e-mail are not the first to question if the postal rule applies to them. Over the last 200 years different ways of communication were developed, changing the speed and efficiency of exchanging information. From the Telegraph in 1837 to the Telephone

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in 1876, the Telex in 1933 to the Fax in 1963, the jurisdiction had to decide if the postal rule has any relevance to these new technologies and how an acceptance will be treated if it is communicated with these methods. By analysing the decisions courts made regarding these technologies, there

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Digital Age could be a reference how the e-mail could and should be treated. First, it is to be understood what the postal rule of acceptance is and why it was introduced, and what impact recent developments could have. After analysing the history, reasons and problems that the postal rule brought

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in context of different ways of communication and especially the e-mail, a clearer picture of the appliance of the postal rule should be possible. In the 19th century the postal rule provided a solution for a then real problem, transmitting acceptance by post was connected to some

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Digital Age and risks and still is to some degree. Today, many of these risks are minimized and new technologies offer faster and more reliable ways of communication.

Research paper from the year 2015 in
the subject Law - Civil / Private /

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Trade / Anti Trust Law / Business
Law, grade: 1,0, University of Applied
Sciences Osnabruck (Fakultat
Wirtschafts- und
Sozialwissenschaften), course:
Contract Law, language: English,
abstract: "What can be more palpably
absurd than the prospect held out of

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Locomotives travelling twice as fast as stagecoaches? Just as well, people could fire themselves with a firework." In the early 19th century people believed the technological progress has arrived its maximum, but their predictions were wrong. Locomotives became high-speed trains and the

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Digital Age disappeared from the post system. The post, which used to take several weeks, arrives after a few days and modern communication systems like fax, telephone and email were established. Yet the contract laws of this times and a rule such as the postal rule are still legally binding

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Digital Age and therefore the modern systems and especially email have to be integrated into the legal system. The purpose of this term paper is to critically discuss the arguments for and against the question, does the postal rule apply to email? In the first chapter the general formation of a

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Contract is noted as well as the history and application of the postal rule are explained. Accordingly in the second chapter the process of communication by email is described and the different arguments for and against the main question are critically discussed. Finally the conclusion of the term

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Digital Age paper is collectively assessed. Because there exist modern communication systems like fax, telephone and email, the connection between the postal rule and these modern communication systems is frequently discussed in many scientific publications. The textbooks from

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Mindy Chen-Wishart (2012), Contract Law, and Richard Stone (2008), The modern Law of Contract, give a good overview of the topic. For the discussion i.a. the articles from Valerie Watnick (2004), "The Electronic Formation of Contracts"

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Research Paper (undergraduate) from
the year 2015 in the subject Law -
Civil / Private / Trade / Anti Trust
Law / Business Law, grade: 1,0,
University of Applied Sciences
Osnabrück (Fakultät Wirtschafts- und
Sozialwissenschaften), course:
Contract Law, language: English,

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Digital Age question, does the postal rule apply to email? In the first chapter the general formation of a contract is noted as well as the history and application of the postal rule are explained.

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Digital Age Formation of Contracts
and the Common Law “ Mailbox
Rule ” , and Sharon Christensen
(2001), Formation of Contracts by
Email – Is it Just the Same as the
Post?, are significant.

The variety, pace, and power of

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technological innovations that have emerged in the 21st Century have been breathtaking. These technological developments, which include advances in networked information and communications, biotechnology, neurotechnology, nanotechnology, robotics, and

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environmental engineering technology, have raised a number of vital and complex questions. Although these technologies have the potential to generate positive transformation and help address 'grand societal challenges', the novelty associated with technological innovation has also

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been accompanied by anxieties about their risks and destabilizing effects. Is there a potential harm to human health or the environment? What are the ethical implications? Do these innovations erode or antagonize values such as human dignity, privacy, democracy, or other norms

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Dunderpinning existing bodies of law and regulation? These technological developments have therefore spawned a nascent but growing body of 'law and technology' scholarship, broadly concerned with exploring the legal, social and ethical dimensions of technological innovation. This

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handbook collates the many and varied strands of this scholarship, focusing broadly across a range of new and emerging technology and a vast array of social and policy sectors, through which leading scholars in the field interrogate the interfaces between law, emerging technology,

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Digital Age and regulation. Structured in five parts, the handbook (I) establishes the collection of essays within existing scholarship concerned with law and technology as well as regulatory governance; (II) explores the relationship between technology development by focusing on core

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Concepts and values which
technological developments implicate;
(III) studies the challenges for law in
responding to the emergence of new
technologies, examining how legal
norms, doctrine and institutions have
been shaped, challenged and
destabilized by technology, and even

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how technologies have been shaped by legal regimes; (IV) provides a critical exploration of the implications of technological innovation, examining the ways in which technological innovation has generated challenges for regulators in the governance of technological

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development, and the implications of employing new technologies as an instrument of regulatory governance; (V) explores various interfaces between law, regulatory governance, and new technologies across a range of key social domains.

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Master's Thesis from the year 2008 in
the subject Law - Comparative Legal
Systems, Comparative Law, grade: 72
% - Distinction , Bournemouth
University (Law Academic
Department), language: English,
abstract: Approximately eight years
ago, an electronic invention called the

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Internet has initiated a phenomenon of exuberant fascination and economic upturn of individuals and businesses at the same time. The steady increasing amount of online users presents a beneficial medium through which commercial entities can advertise and sell their

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Digital Age commodities without mentionable delay. Potential consumers have borderless access to products at competitive prices independent of regional distances. Consequently, it is simply to ask the question "How do people contract over the Internet and are the familiar Common Law

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principles applicable?" This question is in particular in such an extent controversial and important to resolve, since there is no English court which has dealt with this subject so far. As the traditional contract law has been developed and modified due to new and unfamiliar communication

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means over centuries, it may be that the existing principles are hardly applicable and insufficient to determine the formation of an electronic contract. Though, it is also imaginable that courts may easily alter the contract law rules to an appropriate extent as they already did

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with other communication methods. This dissertation is concerned with the demanding topic of formation of contracts in the area of electronic commerce. It tackles legal issues in an environment of various forms of commercial and non-commercial activities using electronic means. As

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the fields of electronic commerce and practicing business online are constantly increasing all over the globe, legal issues of complex content are steadily challenging traditional law principles, courts, lawyers and legal scholars to develop governing laws and adequate solutions. The

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Digital Age dissertation faces and investigates how existing concepts of contract law may apply to cyberspace in a variety of contractual situations and which kind of issues may occur. Hence, the dissertation endeavours to provide contributions in order to clarify imaginable e-commerce conflicts and

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discloses possible solutions to dispel existing uncertainties of e-commerce users. In order to determine why certain sectors of electronic commerce comprise a multitude of interesting and challenging aspects for every legal practitioner and every person operating online, it is

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Digital Age necessary and expedient to provide a comprehensive overview of the broad field of e-commerce and to what extent the dissertation investigates present issues.

Academic Paper from the year 2017
in the subject Law - Media,

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Digital Age, Copyright, grade:
75%, , course: Intellectual Property
Law, language: English, abstract: The
very rapid emergence of
industrialization, globalization and
technicalities formed a great basis for
the growth of technology and the rise
of this computer age. Electronic

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Digital Age is one of its products seeing that it is a major economic significance of the 21st century. Thus, internet is a new culture that has undoubtedly come to stay and while it remains, changes our own style. The wide range of activities performed with the use of internet has proven to

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Digitized by eGangotri
outweigh the old-fashioned way of doing same activities. The creators of computer must not have imagined how super useful their creation stands globally today. The internet has a great deal of impact on business and its practices, local markets will be mostly replaced by global markets.

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Digital Age will lead to new business models and of course, the birth of E-commerce. One of such E-transactions includes Internet contract, which is E-contract. In conclusion, the paper establishes that in all ramifications, electronic contracts have been positive enough to human living that

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it is now a do-without in our day to day living. At the same time, its venom cannot be overlooked. Like a wild fire, if appropriate measures are not taken, it will consume even the most advanced of men, and the very literate. Privacy issues are my most dreaded concerns. The authenticity to

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protect information is so uncertain and yet, so unavoidable in most cases. Laws should be appropriately reformed to suit into the already coming ugly face of electronic contracts and e-commerce in general. Consumer protection should be the springboard to foster these laws as

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the persons on the other hand will not have much to lose. While determining this, global expansion of technology should not be hampered or subdued as to becoming inaccessible for the common man.

This textbook provides an accessible

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Digital Age account of the intricacies of contract law and the problems that can arise during the life of a contract. These problems, along with their solutions, are discussed in detail using everyday language that stimulates thought and reflection.

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Digital Age of essays addresses the law relating to the formation of legally binding contracts and relationships between contracting parties and third parties and is based on papers delivered at the eighth Oxford-Norton Rose Colloquium at St Hugh's College, Oxford in September 2009.' -

Download Free The Postal Acceptance Rule In The Digital Age Foreword.

Providing a practical analysis of the legal principles which govern the formation of contracts in English law (with additional authorities from the

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Digital Age), this work on contract formation offers those involved in litigation and in drafting contracts a guide to the application of those principles in practice.

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