

A.- Curriculum vitae

1.- Personal details

Name Rodrigo Momberg Uribe.
Nationality Chilean
E-Mail rodrigo.momberguribe@law.ox.ac.uk; rodrigomomberg@gmail.com

2.- Studies

2011 PhD (Doctorate), Utrecht University.
Supervisor: Ewoud Hondius
Title of thesis: *The effect of a change of circumstances on the binding force of contracts. Comparative perspectives.*
2002 Master in European Private Law (LLM), Utrecht University.
1999 Bachelor of Laws and Social Sciences, with honours, Universidad Austral de Chile.

3.- Languages

Spanish (native speaker)
English (C2)
Portuguese, Italian and French (reading-B2)

4.- Academic positions

2013 Career Development Fellow in Comparative Law, Faculty of Law, Brasenose College, University of Oxford.
2011-2013 Assistant Professor, Institute of Private Law, Faculty of Law, Universidad Austral de Chile.
2011-to date Honorary Lecturer, Molengraaff Institute of Private Law, Utrecht University.
2008 – 2011 PhD Researcher, Molengraaff Institute of Private Law, Utrecht University.
2002-2008 Lecturer, Institute of Private Law, Faculty of Law, Universidad Austral de Chile.

5.- International academic activities

5.1- Presentations at international conferences:

2012 Presentation entitled “A new category of weaker parties? General considerations about the approach of the CESL with regard to SMEs”, at the *17th Ius Commune Conference*, Amsterdam, the Netherlands.

2011 Presentation entitled “Private law in Latin America: development and current status”, at the International Conference *Civilian Traditions, Codification and Unification*, Utrecht, the Netherlands.

2010 Presentation entitled “Elements for a general regulation of linked contracts”, at the *15th Ius Commune Conference*, Leuven, Belgium.

2005 Presentation entitled “Responsabilidad del proveedor en el contrato de viaje combinado o paquete turístico” (The organizer’s liability in package travel contracts) at the *VIII International Congress of Tort Law*, Faculty of Law, Buenos Aires University, Argentina.

6.- Other academic activities

6.1.- Presentations at national conferences (Chile):

2012 Presentation entitled “La intervención judicial en el contrato a través del control de las cláusulas abusivas” (The judicial intervention of contracts through unfair terms control), at the *X Chilean Conference of Civil Law*.

2011 Presentation entitled “El proceso de armonización del derecho de contratos en la Unión Europea” (The harmonization of contract law in the European Union), at the seminar *Cuestiones actuales de Derecho Privado a partir de la influencia del Derecho Mercantil Internacional*, Faculty of Law, Talca University.

2011 Presentation entitled “La transformación de la ley de protección de los derechos de los consumidores en la norma común del derecho de contratos chileno” (The Consumers Protection statute as the general rule in Chilean contract law), at the *IX Chilean Conference of Civil Law*.

2007 Presentation entitled “El derecho alemán frente al cambio sobreviniente en las circunstancias del contrato: Una alternativa para el tratamiento de la imprevisión en Chile” (Change of circumstances in German Law. An alternative to the regulation of *imprevisión* in Chile), at the *V Chilean Conference of Civil Law*.

6.2.- Other

2011 Guest lecturer, at the Advanced Comparative Law tutorial, Legal Research Master, Utrecht University.

2011 Guest lecturer at the Comparative Law Research in Theory and in Practice course, Ius Commune Postgraduate Training Course.

2010 Guest lecturer, at the Contract and Property Law in a Comparative Perspective course, Utrecht University

7.- Scholarships, grants and prizes

7.1.- Scholarships

2012 Research grant awarded by the Chilean National Commission of Scientific and Technological Research

2007-2011 PhD Research Scholarship, awarded by the Chilean National Commission of Scientific and Technological Research

2007 Prince Bernhard Scholarship, awarded by the Foundation “The Spanish, Portuguese and Ibero-American Institute”

7.2.- Prizes

2011 Clive M. Schmitthoff Essay Competition, awarded by the Centre for Commercial Law Studies, Queen Mary, University of London and the Institute of International Commercial Law, Pace University School of Law

B.- List of publications

1.- International (refereed) journals

- 2013** “Change of circumstances under the CESL”, *Internationales Handelsrecht*, 1/2013.
- 2011** “The Duty to Renegotiate an International Sales Contract in Case of Hardship”, *European Review of Private Law*, Volume 19, Issue 1.
- 2011** “Change of circumstances in international instruments of contract law. The approach of the CISG, the PICC, the PECL and the DCFR”, *Vindobona Journal of International Commercial Law and Arbitration*, 15, 2.

2.- National (refereed) journals (the Netherlands)

- 2011** “Comparative reflections on change of circumstances”, *Contracteren* (Dutch Review of Contract Law) 3, 2011.

3.- National (refereed) journals (Chile)

- 2013** “El control de las cláusulas abusivas como instrumento de intervención judicial en el contrato” (Judicial review of unfair terms as intervention on the contract), *Revista de Derecho* (Faculty of Law, Universidad Austral de Chile), v. XXVI.
- 2012** “Compraventa internacional de mercaderías: el deber de renegociación en caso de excesiva onerosidad sobrevenida” (International sales: the duty to renegotiate in case of excessive onerosity), *Revista Chilena de Derecho Privado*, N°18
- 2010** “Teoría de la imprevisión: la necesidad de su regulación legal en Chile” (*Imprévision* theory: the necessity of its legal regulation in Chile), *Revista Chilena de Derecho Privado*, N°15.
- 2010** “La revisión del contrato por las partes: el deber de renegociación como efecto de la excesiva onerosidad sobreviniente” (The revision of the contract by the parties: the duty to renegotiate as a consequence of change of circumstances), *Revista Chilena de Derecho* (Faculty of Law, Universidad Católica de Chile), V. 37, n.1.
- 2009** “Análisis crítico del proceso de armonización del derecho contractual en la Unión Europea” (A critical review of the process of contract law harmonization in the European Union), *Revista de Derecho* (Faculty of Law, Universidad Austral de Chile), v. XXII.

4.- Books

- 2011** “The effect of a change of circumstances on the binding force of contracts. Comparative perspectives.”, 328 p., Intersentia, Antwerpen. 2011.

5.- Contribution to books

- 2012** “Elements for a general regulation of linked contracts”, in I. Samoy and B.M. Loos (eds.), *Linked Contracts*, Intersentia, Antwerpen.
- 2012** “The effects of a change of circumstances in the DCFR. A critical assessment”, in V. Sagaert, M.E. Storme and E. Terryn (eds.), *The Draft Common Frame of Reference: National and Comparative Perspectives*, Intersentia, Antwerpen.
- 2012** “El proceso de armonización del derecho de contratos en la Unión Europea” (The harmonization of contract law in the European Union), in M. Vásquez and J. Fernández (eds.) *Derecho Mercantil Internacional. La unificación del derecho privado*, Thomson Reuters.
- 2012** “Change of circumstances in Latin American law. A comparative overview”, in A.G. Castermans, K.J.O. Jansen, M.W. Knigge, P. Memelink & J.H. Nieuwenhuis (eds.), *Foreseen and unforeseen circumstances*, Kluwer, Deventer.
- 2012** “La transformación de la ley de protección de los derechos de los consumidores en la norma común del derecho de contratos chileno” (The Consumers Protection statute as the general rule in Chilean contract law), in *Civil Law Studies*, v. VII, LegalPublishing Chile, Santiago.
- 2011** “El sistema de remedios para el caso de imprevisión o cambio de circunstancias” (The system of remedies in cases of a change of circumstances), in I. de la Maza (ed), *Incumplimiento Contractual. Nuevas Perspectivas*, Ed. Diego Portales, Santiago
- 2010** “Unexpected circumstances and the duty to renegotiate”, in *Evolutie van de basisbeginselen van het contractenrecht*, Intersentia, Antwerpen.
- 2008** “Análisis crítico desde el derecho alemán y nacional de una sentencia de la Corte de Apelaciones de Santiago que acoge la teoría de la imprevisión” (Critical analysis of the decision of the Santiago Court of Appeals, with regard to the imprevisión theory), in *Civil Law Studies*, v. III, LexisNexis Chile, Santiago.
- 2007** “El rol de la publicidad en la etapa precontractual de los negocios de consumo y su relación con la buena fe” (Publicity in the pre-contractual stage and his relationship with good faith), in *Civil Law Studies*, v. II, LexisNexis Chile, Santiago.

6.- Other

- 2013** Conference Report: Report of the 17th Ius Commune Conference, Amsterdam, 29-30 November 2012, *European review of private law*, vol. 21, Issue 3.
- 2012** Case note, Europees Hof voor de Rechten van de Mens, 29 mei 2012, nr. 2489/09, *EHRC*, 2012-10.
- 2010** Conference Report: Testing the Draft Common Frame of Reference. Report of the International conference on “The Draft Common Frame of Reference: A National and Comparative Perspective (Kortrijk: Katholieke Universiteit Leuven. Campus Kortrijk, 10-11 June 2010), *European review of private law*, vol. 18, Issue 6.