Article 6 - Agreement on the choice of law and battle of forms

1. Subject to paragraph 2 –

   a) whether the parties have agreed to a choice of law is determined by the law that was purportedly agreed to;

   b) if the parties have used standard terms designating two different laws and under both of these laws the same standard terms prevail, the law designated in the prevailing terms applies; if under these laws different standard terms prevail, or if under one or both of these laws no standard terms prevail, there is no choice of law.

2. The law of the State in which a party has its establishment determines whether that party has consented to the choice of law if, under the circumstances, it would not be reasonable to make that determination under the law specified in paragraph 1.