Figure 3: CISG Article 19

This figure is a simplification and summary of the applicable law.

Start

Does "Acceptance" match offer perfectly? Art. 19(1)

YES → K formed with offer terms

NO

Did offeror object to the Different terms? Art. 19(2)

YES → No K

NO

Difference over price? Art. 19(3)

YES

NO

Difference over payment? Art. 19(3)

YES

NO

Difference over quantity? Art. 19(3)

YES

NO

Difference over quality? Art. 19(3)

YES

NO

Difference over place and time of delivery? Art. 19(3)

YES

NO

Difference regarding liability? Art. 19(3)

YES

NO

Difference over dispute resolution? Art. 19(3)

YES

NO

Other material difference? Art. 19(3)

YES

NO

"Acceptance" is treated as counter-offer. Performance will form K with counter-offer terms.

K formed with offer terms plus Acceptance's modifications Art. 19(2)