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Abstract:

The aim of the study is to illustrate the wide spectrum of tendencies prevailing in contemporary legislations, as well as in the practice of turnover of legal transactions in the context of the phenomenon of contractual imbalance, and also to accomplish a cross-sectional review of juridical instruments of protective nature, making up the system of the so-called weaker party's protection against abuse of the freedom of contract executed by the stronger party, specific for the consumer law.

In the present study the author undertook to identify and outline one of the key trends in the currently observed evolution of the contract law, which is now characterized by numerous attempts at compensation, by means of legal remedies, for the effects of asymmetry in the parties' contractual positions, not only in favour of consumers, but also in the field of B2B contracts. In this context a crucial task is to seek for the most appropriate criteria of definition of the so called weaker party as well as to evaluate to what extent the consumer protection system can be extended on the B2B contracts.

The factor that vitally impinges upon the shape of the systems of the weaker party's protection that are in force in individual national legal orders belonging to the European legal area, is the process of transposition of European directives. Moreover, several projects of uniform normalizations of universal, supranational nature, are of great importance, first of all non-binding PECL, DCFR, as well as *Acquis Principles*, which by assuming a wide viewpoint attempt to make generalizations and global assessments of normative solutions. The conclusions emerging from the legislative process as well as from the research undertaken during the preparation of the soft law proposals are expected to improve the global contractual turnover by preventing different cases of contractual asymmetry that can appear not only in consumer contracts.