

OTIF



**ORGANISATION INTERGOUVERNEMENTALE POUR
LES TRANSPORTS INTERNATIONAUX FERROVIAIRES**

**ZWISCHENSTAATLICHE ORGANISATION FÜR DEN
INTERNATIONALEN EISENBAHNVERKEHR**

**INTERGOVERNMENTAL ORGANISATION FOR INTER-
NATIONAL CARRIAGE BY RAIL**

Cour de Cassation (France), ruling of 19 February 2013
(Appeal No. 11-17.082)

Headnote:

The insurer of the person entitled who has made a written claim against the international carrier before any subrogation may reiterate it, provided the carrier is informed of the transfer of rights. Otherwise, it does not have the effect of interrupting the period of limitation.

(Source: *Bulletin des Transports et de la Logistique* (Bulletin of Transport and Logistics) No. 3348/2013, p. 127)

See Article 32, para. 2 of CMR. Article 48 § 3 of CIM contains a similar provision. According to these provisions, the consequence of a written claim is suspension of the period of limitation.

For the full text of the ruling in French, see <http://legimobile.fr/fr/jp/j/c/civ/com/2013/2/19/11-17082/>