



London

English courts consider arbitration clauses in online terms and conditions

The growth of high-value online transactions, particularly in the crypto-asset sector, led the English courts to consider the question of whether arbitration and governing law clauses contained in online terms and conditions are unfair and void due to English consumer rights protections.

Following swiftly behind the *Soleymani v Nifty Gateway* case (for more on which see [here](#)), in *Chechetkin v Payward* the English courts have again considered this issue along with that of the definition of a “consumer” for the purposes of English legislation. These cases sound a note of caution for companies considering arbitration in consumer-facing terms of service.

For more on *Chechetkin v Payward*, see [here](#).

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