

## Summer 2019

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### International Business Law

GOVT S-1745

#### **Course description**

In today's global village, business decisions are no longer local. Even the smallest company may engage in transactions that have international legal implications. As the world gets smaller the ability to access foreign markets grows ever wider. Companies may seek new sources of supply overseas, sales may cross national borders to customers located abroad, joint ventures and other forms of direct investment in a foreign country abound. Resolving disputes arising from such operations may lead to multistate litigation and/or to arbitration. Many legal systems may become relevant in arbitration including transnational principles (such as the Unidroit Principles) or the Lex mercatoria, expressions of the on-going process of formation of a global law for international commercial contracts. This course is designed to introduce students to the problems affecting cross-border transactions from a legal standpoint. International Private and Public Law aspects of business transactions will be examined. We will examine the legal framework of international commerce pointing out the potential constraints posed by multiple sources of law, cultures, ideologies, currencies, and government policies to effective international business negotiations.

#### **Objectives**

- 1) To explain regulation of international trade with reference to fundamental principles of public and private international law, as well as of the law of the European Union.
- 2) To examine legal aspects of international business with particular reference to contracts for the sale of goods and other forms of exports; licensing of intellectual property; and foreign direct investment.
- 3) To offer a comparative approach to the study of international business transactions and of legal systems so as to understand how legal problems are treated in different societal and cultural environments. .

#### **Prerequisites**

None

#### **Required readings**

August, Mayer, Bixby, *International Business Law. Text, cases, readings*, 6th ed., Pearson, 2013.

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#### **Recommended learning tools**

<http://www.un.org/law/avl/>

- An audiovisual library of international law

<http://www.cisg.law.pace.edu/>

- A useful website for international law

## Grading

### Participation 10%

*Students are expected to play an active role in seminars and prepare the required readings in advance*

### Presentation of a short paper 30%

*Each student will be required to present a paper (max 20.000 characters, spaces included) to the whole group on a particular issue of international business law related to our course work and approved in advance by the instructor. The oral presentation of the chosen topic will be scheduled by the instructor. Each individual oral presentation shall last 10 minutes and will be followed by lively discussion with other students and the instructor.*

### Final exam 60%

*Written exam (multiple choice + essay question)*

**NB:** Master's students (studenti a livello magistrale) and all other students at graduate level will be given extra work for grading purposes.

## Policies and procedures

Attendance is required and considered as part of the grading. *Any absence must be registered by the CFHSS office (email [cafoscari-harvard@unive.it](mailto:cafoscari-harvard@unive.it) ). All work submitted for this course must be the student's own and must follow proper citation procedures. All students are required to read in advance the policies on "Plagiarism and Collaboration" in the Handbook for Students at <http://hvord.me/iXiaLD>. Please familiarize yourself with the **Guidelines for Using Sources**: <http://bit.ly/cQK9A3>*

*Other guides to reading, writing, and research are available on the course website: <http://hvord.me/yYGeJy>*

Daily preparation is also required. I expect students to be prepared to discuss the assigned materials in class. The reading assignments are set out in the attached course syllabus.

## Seminars

Lesson	Title and Description	Dates
1	Introduction to International and Comparative Law	Tue 25 June
Readings	Chapter 1	
2	State Responsibility and Environmental Regulation	Thu 27 June
Readings	Chapter 2	
3	Dispute Settlement	Tue 2 July
Readings	Chapter 3	
4	The Multinational Enterprise	Thu 4 July
Readings	Chapter 4	
5	Money and Banking	Tue 9 July
Readings	Chapter 6	
6	Trade in Goods + Intellectual Property	Thu 11 July
Readings	Chapters 7 and 9	
7	Sales	Tue 16 July
Readings	Chapter 10	
8	Transportation	Thu 18 July

Readings	Chapter 11	
9	<b>Presentations 1</b>	<b>Tue 23 July</b>
10	<b>Presentations 2</b>	Thu 25 July
11	<b>Presentations 3</b>	<b>Tue 30 July</b>
12	<b>Final Exam</b>	Thu 1 August