

INTERNATIONAL BUSINESS LAW

Number of ECTS: 3

Language of instruction: English

Course leader: TASSOU-CADEAU Cécile

Teacher : EROL Caroline

COURSE DESCRIPTION

Overview of the legal framework and issues surrounding international transactions, from contractual negotiation to choosing the most suitable distribution network, keeping in mind the international context in which transactions take place and the impact of e-commerce on the purchasing model.

COURSE OBJECTIVE

This course aims to enable students to:

- Have a basic understanding of the legal systems revolving around the supply chain and recognize when and where issues may arise
- Understand the construction of an international contract and what clauses to negotiate closely
- Identify issues arising out of an international context (e-commerce, Intellectual Property, competition, choice of law, etc)
- Understand what options companies have to resolve their disputes internationally

LEARNING OBJECTIVES

LO2 - Analyse complex situations

LO5 - Evaluate - Prevent and manage short, medium and long-term risks

CONCEPTS TAUGHT

The topics tackled in the course include :

- Legal systems
- Contract law and contract analysis (validity, execution, sanctions)
- Contract clause drafting
- International private law
- Arbitration as a dispute resolution mechanism for international matters
- The Vienna Convention on Contracts for the International Sale of Goods (CISG)
- Competition law rules for businesses
- Compliance issues in the supply chain

TEACHING METHODS

- Theoretical presentation of concepts, tools and methodologies
- Selected readings
- In-class group work
- Powerpoint slides / short videos

EXPECTED WORK AND EVALUATION

- ✓ Active participation in class discussions
- ✓ Turning in the assignments worked on in class in small groups

BIBLIOGRAPHY

- International sales law: a guide to the CISG, Third ed., Ingeborg Schwenzer, Christiana Fountoulakis, Mariel Dimsey, 2019
- Raymond Wacks, A very short introduction to law, Oxford Press, 2008
- Ian Longdin, Legal aspects of purchasing and supply chain, Liverpool Academic Press 2009

EVALUATION METHOD

10%: Continuous assessment (in class group assignments)

30%: MCQ midterm exam (closed book)

60%: Final exam (closed book)

Sessions	12 sessions of 2 hours each
1	Course overview and Introduction to Law Legal orders, sources of law, hierarchy of laws, legal systems around the world
2	Basics of Contract law Characteristics, requirements for validity, effects, contractual liability, breach, sanctions and remedies
3	Structure of a commercial contract Contract as a risk management tool, overall organization of a contract, overview of main clauses: obligations of parties, penalty, confidentiality, exclusivity, dispute resolution, force majeure, choice of law...
4	International private law and International Dispute Resolution Applicable law to an international dispute, competent jurisdiction (arbitral/judicial), enforcement of judgment/award Brussels Regulation ; Rome Regulation; New York Convention
5	Vienna Convention on Contracts for the International Sale of Goods (part 1) Applicability of the CISG, General provisions, Formation of contract
6	Vienna Convention on Contracts for the International Sale of Goods (part 2) Obligations of Seller and Buyer, Fundamental breach and effects, Remedies, Damages calculation
7	Review of the first part of the course + Midterm exam
8	Competition law issues for businesses (part 1) Horizontal competition law issues: exchange of sensitive information; price cartels
9	Competition law issues for businesses (part 2) Vertical competition law issues: retail price maintenance; prohibition to sell online
10	Compliance issues for businesses (part 1) Notion of compliance ; Due diligence of commercial partners ; conflicts of interests
11	Compliance issues for businesses (part 2) Implementing compliance programs
12	Review session Practice case studies and Q&A