Course description form (syllabus form) – for 1st and 2nd cycle studies

**A. General data**

|  |  |
| --- | --- |
| **Name of the field** | **Content**  |
| Course title |  **Law in International Business** |
| Organizational unit: |  Faculty of Management |
| Organizational unit where the course is offered: |  Faculty of Management |
| Course ID |  2600-ERSMiIB |
| Erasmus code / ISCED |  **----------------** |
| Course groups | International Business Program & Erasmus |
| Period when the course is offered  |  Fall seemster |
| Short description | The course addresses key legal issues in relation to international business practices. The overall goal is to raise students’ awareness of the fact that the legal surrounding shapes the way of running business internationally. During the course the basic rules and differences between common law and continental law systems will be presented. Also, basic rules of contract law and corporate law will be presented using the comparative methodology. Additionally, the course provides overview of international organizations and treaties, such as WTO, TRIPS, CISG, and treaties for the avoidance of double taxation. Furthermore, International competition and IP regulations. Finally, practical aspects of the operation of courts and alternative dispute resolution methods will be approached during the course (arbitration and mediation). |
| Type of course: |  seminar |
| Full description | The course addresses key legal rules and regulations material in the field of international trade. The overall goal of the course is to raise students’ awareness of the fact that the legal surrounding shapes the way of running business internationally. No previous legal studies are necessary to participate in the course, as the subject matter will be adjusted to students of non-legal studies to the extent possible. Course participants will be accustomed with two basic legal systems of the Global North, i.e., common law and continental law. Their basic rules and key differences will be presented. Thus, participants will be introduced to the foundation of the legal terminology pertaining to international business activity. These concepts will be broadened in the area of contracts and corporations – using comparative methodology, by introducing key legal institutes of these areas of law in both systems, such as definition of contract, validity requirements, contract formation rules, termination, rescission, avoidance, breach and liability rules. Key corporate vehicle types, their rules of operation and differences will be presented as operating in systems based on selected legal systems. Additionally, the basic framework for international business which follows from the activity of the World Trade Organization (WTO) as well as such international treaties as TRIPS, CSIG or treaties for the avoidance of double taxation. Students will learn about competition rules in free market economies and protection of IP. Apart from lecturing, the course will employ such methods as individual and team work on selected international and national case law, writing assignments, role play and simulation of court, arbitration and mediation proceedings. |
| Prerequisites | Formal  |  - |
| Initial  | Previous experience from legal classes (bachelor studies) may be helpful, but is not required. |
| Learning outcomes |  After completing the course the student:- analyses and explains key legal framework of international business activity- recognizes and explains legal rules of activity in two legal systems: common law and continental law- recognizes and explains rules for drafting contracts with international elements, their performance, and consequences of breach of contractual obligations- recognizes and explains rules of operating corporation in the international context- analyses and explains the legal framework of international trade resulting from the operation of WTO and such international contracts as TRIPS, CSIG, treaties for the avoidance of double taxation- recognizes and explains main intellectual property rights- analyses and explains the operation of the judiciary and alternative dispute resolution methods: arbitration and mediation |
| ECTS credit allocation (and other scores) |  4 |
| Assessment methods and assessment criteria |  Exam and class participation |
| Examination  | Exam consisting of open and closed questions, passing threshold: 51%; active, merit-based participation in classes will be additionally awarded |
| Type of class | seminar |
| Method of implementation of the course/  | Lecture, discussion, individual work, teamwork (analysis of case law, legal texts, simulation). |
| Language  |  English |
| Bibliography | International business and economics : law and policy / Paul B. Stephan, Julie A. Roin. (BUW free access: https://chamo.buw.uw.edu.pl/lib/item?id=chamo:970785)* Business law / Ewan MacIntyre (UW Faculty of Law and Administration Library: https://chamo.buw.uw.edu.pl/lib/item?id=chamo:1640790)
* Introduction to business law / Lucy Jones (BUW free access: <https://chamo.buw.uw.edu.pl/lib/item?id=chamo:1743265>)
* selected case law and handouts distributed during classes
 |
| Internship as part of the course  |  - |
| Coordinators |  |
| Group instructors | Dr Magdalena Knapp |
| Notes  |  |

**B. Detailed data**

|  |  |
| --- | --- |
| **Name of the field** | **Content**  |
| Group instructors: | Dr Magdalena Knapp |
| Title  |  **Law in International Business** |
| Type of class: |  seminar |
| Learning outcomes defined for didactic method used during the course |  After completing the course the student:- analyses and explains key legal framework of international business activity- recognizes and explains legal rules of activity in two legal systems: common law and continental law- recognizes and explains rules for drafting contracts with international elements, their performance, and consequences of breach of contractual obligations- recognizes and explains rules of operating corporation in the international context- analyses and explains the legal framework of international trade resulting from the operation of WTO and such international contracts as TRIPS, CSIG, treaties for the avoidance of double taxation- recognizes and explains main intellectual property rights- analyses and explains the operation of the judiciary and alternative dispute resolution methods: arbitration and mediation |
| Assessment methods and assessment criteria for didactic method used during the course | Exam and class participation |
| Examination for didactic method used during the course | Exam consisting of open and closed questions, passing threshold: 51%; active, merit-based participation in classes will be additionally awarded |
| Range of content | 1. Introduction: basic terms and institutions relevant for running business internationally
2. Common law and continental law: basic rules, differences, key concepts applied in both systems
3. Contract law: definition of contract in different legal systems, contract formation, legal requirements of contract validity, formalities, interpretation rules, limitation of contractual freedom, invalidity, termination, breach and contractual liability
4. Corporate law – comparative approach. Basic types and rules of operation of corporations in laws based on selected legal systems
5. Vienna Convention on the International Sale of Goods (CISG): scope of application, rules for contract formation, basic obligations of parties, warranty, breach and liability
6. WTO: basic rules of operation, impact on the international law rules for business
7. TRIPS and the intellectual property system, basic terms, rules, and limitations of the system
8. The judiciary and alternative dispute resolution (mediation, arbitration): basic rules of operation, parties’ roles, rules of participation; pros and cons of each method
9. International competition rules
10. International Tax Law: treaties for the avoidance of double taxation and their impact on international trade
 |
| Didactic methods | Presentation, discussion, individual work, teamwork (analysis of case law, legal texts, simulation). |
| Bibliography | International business and economics : law and policy / Paul B. Stephan, Julie A. Roin. (BUW free access: https://chamo.buw.uw.edu.pl/lib/item?id=chamo:970785)* Business law / Ewan MacIntyre (UW Faculty of Law and Administration Library: https://chamo.buw.uw.edu.pl/lib/item?id=chamo:1640790)
* Introduction to business law / Lucy Jones (BUW free access: <https://chamo.buw.uw.edu.pl/lib/item?id=chamo:1743265>)
* selected case law and handouts distributed during classes
 |
| Group limit  |   |
| Time span |   |
| Location |   |