

Syllabus
LAW2081 Introduction to International Business Law
LB Herr Dr. Emilio A. R. Gomes
Wintersemester 2023 - 2024

Level	Bachelor	
Credits	6	
Student Contact Hours	3	
Workload	180 Hours, of which 45h for lectures and 135 h for self-study	
Prerequisites	Advanced command of the English language (high B2 level or C1 level). No previous knowledge of law is required.	
Time	Mondays, 3.30 – 5:00 pm and 5:15 – 6.45 pm	
Room	W1.5.02 - Hybrid	
Start Date	Mo. 09.10.2023	
Lecturer	Name	LB Dr. Emilio A. R. Gomes
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Summary

In times of globalization, 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 point of view. International Private and Public Law aspects of business transactions will be examined as well as the legal framework of European and international commerce pointing out the potential constraints to effective international business posed by multiple sources of law, cultures, ideologies, currencies, and government policies.

The objectives of the course are as follows:

- 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
- To closely 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; international tax law; legal aspects of global business responsibility;
- 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

Outline of the Course (subject to alterations)

Part 1: Overview

1. Intro: International Law and International Business: The Big Picture
2. Law, State and International Order: WTO Law
3. Harmonized law vs domestic law
4. EU Law: Conflict of law rules
5. European Union Law

Part 2: Deepening special topics, e.g.

1. International Private Law and Contract Law
2. Settling International Legal Disputes
3. Intellectual property Rights
4. Foreign Investment Law: Currency, Portfolio, Credit Facility and FDI
5. International Corporate and Environment Law
6. International Tax Laws

Course Intended Learning Outcomes and their Contribution to Program Intended Learning Outcomes / Program Goals

Program Intended Learning Outcomes		Course Intended Learning Outcomes	Assessment Methods	
After completion of the program the students will be able...		After completion of the course the students will be able...	Written Exam	Presentation
			75%	25%
			Individual	tbd
1 Expert Knowledge				
1.3	...to have command of legal methodology for case solutions on basis of claims.	... to explain and describe a legal solution to a case based on statutory law.	X	
2 Digital Skills				
3 Critical Thinking and Analytical Competence				
4 Ethical Awareness				
5 Communication and Collaboration Skills				
6 Internationalization				
6.1	...to understand and explain business challenges in an international context.	... to explain the specific legal challenges of cross-border transactions in the light of the fact that there is no uniform "world business law".	X	X
6.3	...to successfully demonstrate awareness of cross-cultural differences.	... to explain the role of (legal) history and social factors within the context of international business law.	X	X

Teaching and Learning Approach

Students are expected to play an active role in the lectures and prepare the required readings in advance. While students may discuss assignments with their classmates and others, they are expected to make sure any written material they submit is their own work. Students are expected to know how to cite the work of others and present a bibliography of the research texts that were used.

Literature and Course Materials

Reading material will be distributed on Moodle.

The following texts are further recommended for reference:

TREBILOCK / TRACHTMAN (2020), Advanced introduction to international trade law, 2nd. Edition, Cheltenham: Edward Elgar

ELECTRONIC INFORMATION SYSTEM FOR INTERNATIONAL LAW <https://www.asil.org/insights>

Publications office of the European Union: <https://op.europa.eu/en/home>

FACT SHEETS ON THE EUROPEAN UNION: <https://www.europarl.europa.eu/factsheets/en/home>

Assessment

The assessment consists of a written exam and one oral assignment. The oral assignment counts 25 % to the final grade.

Code of Conduct for online Teaching

Link to the Code of Conduct for online Teaching