

INTERNATIONAL BUSINESS TRANSACTIONS
(Law 694-0001)
Assistant Professor Christopher T. Hines
Spring Term 2011

Office: Swen Parson Hall, Room 194A
Office Hours: Tuesday, 2:00 PM – 4:00 PM, or by appointment
Telephone: (815) 753-9489
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Lectures: 1:30 PM – 2:45 PM, Monday and Wednesday
Location: Swen Parson Hall, Room 173
Final Exam: May 13, 2011, 9:00AM – 12:30 PM

Course Materials: Chow, Daniel C.K., Schoenbaum, Thomas J., *International Business Transactions: Problems, Cases, and Materials*, Second Edition, Aspen Publishers (ISBN 978-0-7355-7065-8) [CASEBOOK]

Chow, Daniel C.K., Schoenbaum, Thomas J., *International Business Transactions: Problems, Cases, and Materials*, Second Edition, *Documents Supplement*, 2010-2011 Edition, Aspen Publishers (ISBN 978-0-7355-8742-7) [SUPPLEMENT]

Folsom, Ralph H., Gordon, Michael Wallace, Spanogle, Jr. John A., *International Business Transactions*, Second Edition, West Group (ISBN 0-314-24234-1) [RECOMMENDED]

Folsom, Ralph H., Gordon, Michael Wallace, Spanogle, Jr. John A., *Principles of International Business Transactions*, Second Edition, Concise Hornbook Series, West (ISBN 978-0-314-90683-0) [RECOMMENDED]

Friedland, Jerold A., *Understanding International Business and Financial Transactions*, Third Edition, Matthew Bender & Company, Inc. (ISBN 978-1-4224-7841-7) [RECOMMENDED]

Attendance: Students shall regularly and punctually attend all classes. At the beginning of each class, students shall sign an attendance sheet. This shall be the only record of class attendance. Students shall sit in assigned seats as noted in a seating chart to be distributed on the day of the second lecture.

In an effort to ensure that students are sufficiently attentive to the matters discussed in lecture, please note that, as a matter of general policy, the usage of laptops or other such electronic devices shall be strictly prohibited during lecture.

Additionally, note well that students are subject to the College of Law attendance policy set forth in the Student Handbook, which provides in relevant part: *Regular and punctual attendance is required in all classes. Faculty members shall impose sanctions on any student or students who miss more than 20 percent of the classes in any given course. Such sanctions may include, but are not limited to, grade reductions, exclusion from the final exam with an automatic grade of "F," or withdrawal from the course with a grade of "W."* Therefore, students who are absent for more than six (6) classes for any reason will be subject to sanction, in such manner as to be determined in my discretion.

Participation:

Student participation in classroom discussion is an essential element of the learning process, and is, as a consequence, strongly encouraged. I shall call upon students to participate in class discussion by means of a random process. If a student is not prepared for a given lecture, he/she shall write a note to me prior to the start of the lecture to such effect. However, a student who consistently “passes” on class participation shall receive an unfavorable participation score.

After the final examination grades are reported to the Registrar on an anonymous basis, I reserve the right to make single incremental adjustments (e.g., “B” to “B+”) based on consistent excellence in class performance when, in my opinion, the final examination grade does not fully reflect performance over a full semester. No adjustments are given out of a failing grade or into a full “A.”

Grading:

Subject to the participation score as previously noted, the final grade for each student shall be solely determined by a three-hour (together with a 30-minute grace period, for a total of three hours and 30 minutes) in-class examination, consisting of three essays.

The examination will be “limited” open book – i.e., students may bring to the examination the course materials, their own personal notes, any handouts as may be distributed in lecture, and an outline that they have personally drafted. Any other materials, including without limitation any commercial outlines, shall be strictly forbidden in the examination room. Students are welcome to take the final examination either by means of an electronic application (e.g., ExamSoft) or by hand. In either case, students are strongly

encouraged to draft their answers in a focused and disciplined manner, and with the aim of developing a clear and coherent argument in response to the questions presented.

Finally, and as a matter of general policy, note well that I will not be available to discuss with students any matters in relation to this course, the final examination, or other related matters after the conclusion of the final lecture on May 2, 2011. Accordingly, students are advised to plan in advance in respect of any questions that may arise in the course of their studies, and schedule an appointment with me or otherwise arrange to further discuss such matters prior to the conclusion of the final lecture.

Accommodations: In accordance with Section 504 of the Rehabilitation Act of 1973, the College of Law makes reasonable accommodations for qualified students with disabilities. If you have a disability and may require some type of instructional and/or examination accommodation, please contact Lenny Mandell, the Associate Dean of Students, or me early in the semester so that we can provide or facilitate in providing accommodations you may need. If you have not already done so, you will need to register with the Center for Access-Ability Resources (“CAAR”), the designated office on campus to provide services and administer examinations with accommodations for students with disabilities. The CAAR office is located on the 4th floor of the University Health Services building (815-753-1303). We will be happy to assist in enhancing your academic success in this course.

Reading Assignments:

All required reading assignments are to the course materials, which may be supplemented by handouts as distributed during lecture. Note that, subject to the pace of the discussions in lecture, reading assignments may change.

Class	Date	Casebook	Supplement	Subject
1	1/19	1-23		Introduction to International Business Transactions
2	1/24	23-50		Legal Framework for International Business Transactions
3	1/26	51-78		Overview of the International Sales Transaction; Commercial Terms Under the ICC Incoterms
4	1/31	78-108		Interpretation of Commercial Terms; Documents of Title; Contract of Affreightment; Bill of Lading
5	2/2	108-132		Bill of Lading; Marine Insurance

Class	Date	Casebook	Supplement	Subject
6	2/7	132-163		International Trade Law Considerations <u>Guest Speaker:</u> Meredith Rathbone, Partner, Steptoe & Johnson LLP, video conference with Washington, DC offices
7	2/9	163-193	1-19	International Trade Law Considerations; UN Convention on Contracts for the International Sale of Goods
8	2/14	193-223	20-28	UN Convention on Contracts for the International Sale of Goods
9	2/16	223-251		UN Convention on Contracts for the International Sale of Goods; Letters of Credit
10	2/21	251-280	29-35	Letters of Credit
11	2/23	281-310		Letters of Credit; Agency and Distributorships
12	2/28	310-337		Agency and Distributorships; Technology Transfer and Licensing
13	3/2	337-364		Patent License Agreement; Business Format Franchising
14	3/7	365-394		Foreign Direct Investment: Introduction, Global Trends, and the International Court of Justice
15	3/9	395-420		Foreign Direct Investment: NAFTA and the World Trade Organization
16	3/21	420-444	197-212	Foreign Corrupt Practices Act
17	3/23	444-482		Foreign Investment in the European Union
18	3/28	482-518	322-328	Foreign Direct Investment in China <u>Guest Speaker:</u> Arthur C. Mok, Partner, Ropes & Gray LLP, video conference with Shanghai offices
19	3/30	518-552		Foreign Direct Investment in Brazil
20	4/4	553-581		Overview of Commercial Privacy
21	4/6	581-612	40-65	TRIPs and the Protection of Intellectual Property Rights; Gray-Market Goods and Parallel Imports
22	4/11	613-644	132-134; 149-167	Overview of International Business Dispute Resolution; Arbitration
23	4/13	644-665	191-196	International Business Litigation: Choice of Forum, Choice of Law
24	4/18	665-684		Jurisdiction in International Business Disputes: Adjudicative Authority, Sovereign Immunity

Class	Date	Casebook	Supplement	Subject
25	4/20	684-706	168-174	Jurisdiction in International Business Disputes: Act of State Doctrine; Forum Non Conveniens, Service of Process; Parent and Affiliates
26	4/25	707-735		Conflicts of Jurisdiction; Evidence and Discovery
27	4/27	737-762	329-338	Overview of Corporate Social Responsibility
28	5/2	763-794	184	Corporate Social Responsibility: Legal and Ethical Considerations; U.S. Alien Tort Statute