

1. Professor: Mr. MICHAEL FISH

2. Overview and objectives

The internationalization of economies and companies has greatly expanded and now concerns all the departments of many businesses. Some of these departments such as the ones focusing on the legal and social environments, formerly considered as less concerned, must now become a CEO's priority.

As Common Law is ever-present in the international legal environment, company executives must become familiar with its broad lines.

The course is meant to enable participants to acquire a schematic vision of Common Law and become familiar with a specific legal terminology, so as to be at ease in international negotiations that lead to the establishment of international contracts.

3. Targeted skills

The course is meant to initiate the participants to a company's international legal development.

Thus, the teaching outcomes are to:

- Highlight the issues accruing from the intermixture of cultures in a professional international environment,
- Understand the originality and diversity of international business law,
- Become initiated to the fundamental aspects of Common Law,
- Single out the staple legal rules applicable in international business,
- Know the essential terms of an international contract.

4. Prerequisites

None, other than a satisfactory level of English

5. Level: Master 2

6. Course description and plan

The 15-hour course is devoted to theoretical input concerning the structure of a Common Law contract, including many examples and explanations.

Time permitting, a case study will be introduced with the aim of analyzing two contract proposals, provided by two international parties aiming for a certain form of international representation.

English is the language of communication, both for teaching and participants' input and work.

- 1) Introduction
 - A few definitions
- 2) The Contract
 - Categories of contracts
 - Terms of a contract
 - Privity of contract
 - Assignment
- 3) Valid Contracts
 - Offer and acceptance
 - Consideration
 - The contracting capacity of parties
- 4) Voidable Contract

- Misrepresentation
 - Mistake
 - Duress and undue influence
- 5) Discharge of Contract
- by performance
 - by agreement
 - by frustration
- 6) Breach of Contract
- Definition
 - Types of damages

7. Teaching methods

A combination of lectures, and examples to illustrate the course contents, supported by a PowerPoint presentation.

8. Examination and assessment

Mid term assignment: 40%

Final exam: 60%

9. Bibliography

M. Fontaine, Ph. De Ly, Drafting International Contracts: an analysis of contract clauses, Transnational Publishers Inc. USA, 2006

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E. Boyé, L'Anglais des Contrats Internationaux, Litec, 2008

G. Chatillon, Le Contrat International, Vuibert, 2007, 3è éd.

V. Gautrais, Le Contrat Electronique International : encadrement juridique, Academia – Erasme, 2002