

SYLLABUS

1. Scope:

This course addresses a broad range of issues in the contexts of international trade, foreign business activity including investments, and transnational aspects of intellectual property. Several problem exercises are designed to simulate global practice.

Topics include: the legal environment of transnational business and international law practice; the elements of transnational dispute resolution; fundamentals of private international law/international conflict of laws/international litigation and arbitration; applications of public international law; the act of state doctrine; foreign sovereign immunity; extraterritorial application of national law; corporate social responsibility; contracts for the international sale of goods; international documentary sales transactions; regional and international economic organizations (especially the WTO and the USMCA); trade legislation including import and export controls, anti-dumping measures, countervailing duties and emergency relief; agency and distributorship agreements; licensing agreements and international aspects of intellectual property; establishing an operation abroad; legal status and rights of foreign corporations; restrictions on foreign investment; concession agreements and their breach.

2. Coursebook:

Detlev F. Vagts, William S. Dodge, Hannah L. Buxbaum & Harold Hongju Koh, TRANSNATIONAL BUSINESS PROBLEMS (6th ed. 2019)

Supplementary materials (2022).

3. Requirements:

- a. Do assignments.
- b. Attend class and participate in classroom discussion.
- c. Write the final exam.

4. **Assignments:** Page numbers refer to the coursebook, italicized items to supplementary materials. Please note that the “background” readings indicated below will not be covered in substantial detail during class.

WEEK	DATES	PAGES IN COURSEBOOK or SUPPLEMENTARY MATERIALS
Week 1	January 11	3-40; <i>Forum Non Conveniens</i>
Week 2	January 18	40-62; <i>BG Group PLC v. Republic of Argentina</i>
Week 3	January 25	63-82; <i>The Act of State Doctrine</i> ; 528-32
Week 4	February 1	<i>Foreign Sovereign Immunity</i> ; 522-27; 532-33 (not Question 3); <i>Republic of Argentina v. NML Capital Ltd.</i>
Week 5	February 8	82-95; 350-61; 96-114
Week 6	February 15	115-49
Week 7	February 22	151-61; <i>United Nations Convention on Contracts for the International Sale of Goods</i> ; <i>CISG Problems</i> ;
Week 8	March 1	161-87; Reference: <i>International Documentary Transactions</i>
Week 9	March 8	187-211; <i>World Trade Organization: The Panel Process</i> ; <i>USMCA Trade Agreement</i>
Week 10	March 15	213-48
	Spring Break	
Week 11	March 29	257-95
Week 12	April 5	297-342
Week 13	April 12	435-92