

開講科目名	International Business Litigation (A)				
担当教員	Robert Pe, James Claxton			開講区分	単位数
				前期	1.0単位
ナンバリングコード		曜日・時限	他	時間割コード	1J437

授業のテーマ

Many major commercial disputes are cross-border in nature, involving entities incorporated or registered in different jurisdictions and assets spread around the world. While arbitration is increasingly the preferred method of resolving contractual disputes, many commercial disputes do not arise from a contract and so litigation is sometimes the only available recourse. The ability to litigate across borders and collaborate effectively with lawyers in other jurisdictions with different legal systems is crucial. Therefore understanding international business litigation is of increasing importance for law school students who plan to practise in the commercial space.

授業の到達目標

The course is aimed to introduce students to both legal and procedural issues that are relevant in international business litigation and to give them an opportunity to learn from real-life case studies.

授業の概要と計画

There will be eight lectures in the space of 3 days, with a focus on real-life case studies; international business litigation: mapping its position; cross-border litigation: the practicalities; international fraud, including business e-mail compromise scams; anti-counterfeiting and trade mark protection; trade secrets litigation; sovereign immunity and crown immunity; enforcement of foreign arbitral awards under the New York Convention 1958; negotiated settlement and commercial mediation.

成績評価方法

Attendance and class participation 100%

成績評価基準

With the method stated above, grades will be determined in accordance with the degrees of achievement of the objectives.

履修上の注意 (関連科目情報)

This course is recommended for students who wish to practise in the commercial space and/or join an international law firm or major business.

事前・事後学修

The details will be announced in advance of the first session.

オフィスアワー・連絡先

Contact details will be announced during lectures.

学生へのメッセージ

I look forward to students' active participation in class. This is crucial to the success of the course.

今年度の工夫

教科書

Please note: it is not necessary to purchase this book but extracts will be distributed during the course.

International Commercial Dispute Resolution / General Editor Jonathan Warne : Tottel Publishing , 2009 , ISBN:

参考書・参考資料等

- Sovereign Immunity in Hong Kong: the Absolute Doctrine Versus the Restrictive Doctrine in Dispute Resolution International Vol. 4 No.1 by Pè
- Guide on the Convention on the Recognition and Enforcement of Foreign Arbitral Awards

Rules of the High Court of Hong Kong / : , , ISBN:

Private International Law in Myanmar / Briggs : , , ISBN:

Commercial Injunctions / Gee : , , ISBN:

授業における使用言語

英語

キーワード

International Law, Foreign Investment; Cross-Border Litigation; Enforcement