



INTERNATIONAL BUSINESS LAW	
Anno immatricolazione	2018/2019
Anno offerta	2018/2019
Normativa	DM270
SSD	IUS/14 (DIRITTO DELL'UNIONE EUROPEA)
Dipartimento	DIPARTIMENTO DI SCIENZE ECONOMICHE E AZIENDALI
Corso di studio	INTERNATIONAL BUSINESS AND ENTREPRENEURSHIP - MANAGEMENT INTERNAZIONALE E IMPRENDITORIALITÀ
Curriculum	International Management
Anno di corso	1°
Periodo didattico	Primo Semestre (24/09/2018 - 21/12/2018)
Crediti	6
Ore	44 ore di attività frontale
Lingua insegnamento	English
Tipo esame	SCRITTO
Docente	GENNUSA MARIA ELENA (titolare) - 3 CFU ZANCAN MONICA - 3 CFU
Prerequisiti	No prerequisite is expressly required. However the knowledge of at least the basic legal concepts acquired during the Bachelor studies is recommended.
Obiettivi formativi	<p>The course is structured in two parts.</p> <p>The first section provides a brief outline of the history of European integration, EU institutions and governance, as well as EU sources of law and their relationship with the national legal systems in order to highlight the most relevant implication of the application/enforcement of EU law for the enjoyment of economic freedoms and the status of the European citizen.</p> <p>The second section deals with a number of legal issues relating to doing</p>

business in an international context, based on EU and Italian law, as well as certain international conventions, from the viewpoint of a multinational enterprise- foreign entrepreneur/company wishing to do business abroad (namely, in Italy).

The combination of the two parts of the course aims at improving the students' awareness of the close relationship between different orders and levels of governance in framing legal concepts and institutions. Although the focus of the course is on business law, the first part allows students to better appreciate the role played by EU law therein, as well as its implications on other relevant fields, also closely related to economic domain. Due to a profitable combination of lectures and case analysis requiring an active participation of students, at the end of the course the latter are expected to have acquired a certain expertise in interpreting legal texts and judicial decisions and in assessing their content from a critical perspective.

Programma e contenuti

- I. European Union Law

The first Section of the course deals with:

A historical overview of the European integration process.

The institutional framework of the European Union (Council, European Council, Commission, Parliament, and the Court of Justice)

The sources of law in the European system: types of acts and their effect in the national legal orders, from the perspective of the ECJ (supremacy, direct effect, duty of consistent interpretation and State liability) and from the viewpoint of the Italian Constitutional Court.

The development of the protection of economic freedoms in the light of the Court of Justice's jurisprudence.

The European citizenship and its impact on economic and social rights.

- II. International Business Law

The second Section of the course focuses on the following:

1. Business Organizations – Forms of business organizations. Main features of limited liability companies and joint stock companies - The multinational enterprise and the international sources (Corporate Social Responsibility, Anti-bribery) - Groups of companies, Management and Coordination - Branch vs. subsidiary.

2. Acquisitions - Subject matter, rules of law, liabilities of the parties. The acquisition process and the contractual documents. The joint ownership/management of companies. Antitrust issues (concentrations).

3. Intellectual Property - The International Treaties, the EU and Italian sources. Industrial Property Rights and Copyright: substantive rules, protection, enforcement.

4 Anti-money laundering, counter terrorist financing and financial sanctions: the International and EU sources; the Italian rules. Targeted Sanctions, lists and the protection of human rights.

5. Business Contracts – International business contracts, namely transfers of technologies and contracts for the development of sales - Related issues such as the applicable law and antitrust rules on restrictive practices.

Metodi didattici	<p>Lectures</p> <p>Discussion of cases. Active involvement of students who can hold oral presentations on hot topics and challenges related to the content of the course</p>
Testi di riferimento	<p>Illustrating materials are prepared by the teachers and are available on Kiro platform, following the relative lessons.</p> <p>Recommended reading (selected chapters will be published, together with further articles/materials, during the course; the texts are available at the Department library):</p> <ol style="list-style-type: none"> 1) Richard Schaffer, Filiberto Agusti, Lucien. J. Dhooge, Beverley Earle, International Business Law and Its Environment, South-Western Cengage Learning, 2011. 2) Ray August, Don Mayer, Michael B.Bixby, International Business Law, International Edition, Pearson, 2012. 3) Damian Chalmers, Gareth Davies, Giorgio Monti, European Union Law, Cambridge University Press, 2010. 4) A.Santa Maria, European Economic Law, Kluwer Law International, 2009. 5) A. De Nicola, M. Carone, Italian Business Law, Egea, 2008. 6) R. Schütze, European Constitutional Law, Cambridge UP, 2012 (see the list of Chapters which need to be studied on the Kiro platform)
Modalità verifica apprendimento	<p>Written exam</p> <p>made up of 6 open questions (3 on the first part of the course - European Union Law - and 3 on the second part - Business Law)</p>
Altre informazioni	<p>All the course material (including slides, legal texts and judicial decisions) is also available on Kiro platform</p>
Obiettivi Agenda 2030 per lo sviluppo sostenibile	<p>\$lbl legenda sviluppo sostenibile</p>