

Mercantile Law I

Code: 102271
ECTS Credits: 9

Degree	Type	Year	Semester
2500786 Law	OB	2	2

Contact

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Teaching groups languages

You can check it through this [link](#). To consult the language you will need to enter the CODE of the subject. Please note that this information is provisional until 30 November 2023.

Teachers

Carlos Gorriz Lopez

Ramón Morral Soldevila

Luis Pedrayes Gullon

Concepción Blázquez Giménez

Angel Lafoz Torres

Jorge Ortega Soriano

Mònica Perna Hernández

Prerequisites

There are no previous requirements.

Grupo 1. Jorge Miquel

Seminario 11. Pendent

Seminario 12. Jorge Ortega

Seminario 13. Concepción Blázquez

Grupo 2 Angel Lafoz

Seminario 21. Pendent

Seminario 22. Pendent

Seminario 23. Concepción Blázquez

Grupo 51. Ramón Morral

Seminario 511. Pendent

Seminario 512. Mónica Perna

Seminario 513. Luis Pedrayes

BUSINESS & LAW

Grupo 70 Carles Górriz

Seminario 701. Carles Górriz/ pendent

Seminario 712. Carles Górriz/ pendent

Objectives and Contextualisation

To reach a good knowledge of the principal institutions of Commercial law related to its legal sources, the businessperson, the industrial property, anti-trust and unfair competition law and corporate enterprises.

Competences

- Demonstrating a sensible and critical reasoning: analysis, synthesis, conclusions.
- Efficiently managing information, being capable of assimilating a considerable volume of data in a limited amount of time.
- Identifying, assessing and putting into practice changes in jurisprudence.
- Identifying, knowing and applying the basic and general principles of the legal system.
- Managing bibliographic and documentary resources: databases, browsing, etc.
- Memorising and utilising legal terminology.
- Presenting in front of an audience the problems of a concrete law suit, the applicable legal regulations, and the most consistent solutions.
- Searching, interpreting and applying legal standards, arguing every case.

Learning Outcomes

1. Contextualising the Commercial Law within the legal system, its role and its usefulness in the business traffic.
2. Critically distinguishing the historical trajectory in the approval of commercial standards and in the training of trade uses, and being ready to anticipate alternative legal solutions.
3. Demonstrating a sensible and critical reasoning: analysis, synthesis, conclusions.
4. Demonstrating the acquisition of new knowledge from the learning of the main principles and standards of Commercial Law.
5. Efficiently managing information, being capable of assimilating a considerable volume of data in a limited amount of time.
6. Managing bibliographic and documentary resources: databases, browsing, etc.
7. Providing a fair and efficient response to the practical cases proposed from the acquired knowledge.
8. Publicly presenting practical cases and its possible legal solutions.
9. Summarising the basic principles of jurisprudence in the main aspects relatives to the economic and business activity.

Content

Concept, historical evolution and sources of commercial law.

The individual entrepreneur. Business accountancy. The Business Registry. The commercial establishment.

Industrial property rights on patents and other industrial inventions and on trademarks and other distinctive signs

Competition law: Antitrust law and unfair competition law.

General theory of company law

The general partnership and the simple limited liability partnership.

Capital companies: Basic aspects. Procedures of foundation. Stakes and shares. Obligations The general meeting and the managing. Financial statements. Amendments to the by- laws. Separation and exclusion of partners and shareholders. Structural changes in commercial companies. The dissolution and liquidation of the commercial companies.

Other commercial companies and Groups of companies.

Methodology

For the Business Administration and Law degree, the subject is lectured at the first semester

Lecturers will put into practice the educational activities they deem appropriate in order to facilitate the study and learning of the student.

The development of the teaching of the subject and of the learning of the student is based on the following formative activities:

1. Guided activities: activities where the teacher develops the active part of the class. It includes master classes where the student reaches the conceptual bases of the subject and its legal and regulatory framework and jurisprudential.

Also, the seminars, where students, individually or in small groups, analyze and solve along with the professor practical cases. Supervised activities: activities that students will develop individually or in small groups, with the support of the lecturer, in order to prepare the evaluable practices, such as discussion and resolution of cases, comments, debates, simulations of judgments, others.

2. Autonomous activities: activities that students will develop autonomously. It includes among others the search and reading of bibliography, norms and jurisprudence, study, preparation of practical cases.

Annotation: Within the schedule set by the centre or degree programme, 15 minutes of one class will be reserved for students to evaluate their lecturers and their courses or modules through questionnaires.

Activities

Title	Hours	ECTS	Learning Outcomes
Type: Directed			
Master classes	39	1.56	3, 8, 5, 6

Seminars (practical cases, comments, debates, simulation of trials...)	19.5	0.78	1, 4, 3, 2, 8, 5, 6, 7, 9
Type: Autonomous			
Assessment	5	0.2	1
Tasks and study out the class	156.5	6.26	1, 4, 3, 2, 8, 5, 6, 7, 9

Assessment

Continuous assessment

"Law: attendance at seminars is mandatory. Three evaluable activities will be carried out (two practical cases and a comment or analysis of sentences). Two of these three activities will have a value of 1.5 points and the third will have a value of 2 points. The sum of all of them will compute 50% of the final grade-."

"ADE + Law: the continuous evaluation is the sum of the note of the weekly activities. The weekly seminars will compute 20% of the final grade. The Work Outside the Classroom will compute 30% of the final grade. The 'other 50% It will be the exam grade."

To pass the subject, students must obtain a 5 by taking the average between the evaluable activities and the final exam (or the reassessment exam) and have obtained a minimum of 4 points on average both in the evaluable activities and in the final exam.

To be able to go to the reassessment exam it is necessary to have obtained at least a 3 in the exam

Single evaluation

People who opt for the single evaluation system will be examined and complete the following elements:

50% of the score (5 points out of 10) will lead to an exam.

The other 50% of the note (5 points out of 10) will be obtained with the realization of two different Activities that have a contingut equivalent to the one that has been given in the seminars. These will consist of the resolution of a practical case (will have a value of 3 points) and commentary or analysis of one or more sentences (2 points).

To carry out the checks corresponding to the activities, the pertinent legislation may be consulted in paper format, but you will not be able to access computer resources, points or materials. Només es podrà utilitzar legislació, y emper que no estigui complementado amb otra información.

The tests corresponding to the activities are carried out in person, coinciding with the day set for the examination test.

Assessment Activities

Title	Weighting	Hours	ECTS	Learning Outcomes
Final exam	50%	5	0.2	1, 4, 3, 2, 8, 5, 6, 7, 9

Bibliography

RECOMMENDED BOOKS

Alonso Ledesma, Carmen (dir) i Fernández Torres, Isabel (coord) Derecho de sociedades, Barcelona, Atelier

Broseta Pont, Manuel - Martínez Sanz, Fernando., *Manual de Derecho mercantil*, vol. I, Madrid, Tecnos.

Jiménez Sánchez, Guillermo - Díaz Moreno, Alberto (dirs.), *Derecho mercantil I*, Barcelona-Madrid-São Paulo, Marcial Pons

Menéndez, Aurelio - Rojo, Angel (dirs.), *Lecciones de Derecho mercantil*, vol. I, Cizur Menor, Thomson Reuters Civitas (Available at the UAB digital library).

Miquel Rodríguez, Jorge (Coord.) *Derecho Mercantil I*, Barcelona, Atelier

Sánchez Calero, Fernando, Sánchez-Calero, Juan, *Instituciones de Derecho mercantil*, vol. I, Cizur Menor, Thomson Reuters Aranzadi. (Available at the UAB digital library).

Vicent Chulià, Francisco.: *Introducción al Derecho mercantil*, última edició, Valencia, Tirant lo Blanc (Available at the UAB digital library)

Further bibliography will be recommended specifically

Software

Not required any specifically