

| Degree | Type | Year |
|--------|------|------|
| Law | OT | 4 |

Contact

Name: Rafael Arenas Garcia

Email: rafael.arenas@uab.cat

Teachers

Miguel Gardeñes Santiago

Roger Canals Vaquer

Teaching groups languages

You can view this information at the [end](#) of this document.

Prerequisites

There is no previous requirement

Language: English

The teaching of the subject will be carried out taking into account the perspective of the Sustainable Development Goals

Objectives and Contextualisation

The objective of this course is that the students become familiarized with the specific legal problems of international business. At the end of the course they will know the basic elements of the legal regulation of international commerce and they will be able to interpret this regulation and to apply it in the most frequent situations of the international trade. This approach to international trade law will be made from a critical and integrated perspective, considering the implications that international traffic has in different fields (economic, politics, ethics...) and also paying attention to the gender perspective and contributing to the visibility of women's contributions to the discipline.

Competences

- Apprehending the necessary mechanisms in order to know, assess, and apply the legislative reforms as well as to follow the changes produced in a concrete subject.
- Arguing and laying the foundation for the implementation of legal standards.
- Demonstrating a sensible and critical reasoning: analysis, synthesis, conclusions.
- Identifying and solving problems.
- Identifying, assessing and putting into practice changes in jurisprudence.
- Identifying, knowing and applying the basic and general principles of the legal system.
- Identifying the underlying conflicts of interest in disputes and real cases.
- Integrating the importance of Law as a regulatory system of social relations.
- Managing bibliographic and documentary resources: databases, browsing, etc.
- Memorising and utilising legal terminology.
- Present information in a way that is appropriate to the type of audience.
- Searching, interpreting and applying legal standards, arguing every case.
- Students must be capable of demonstrating the unitary nature of the legal system and of the necessary interdisciplinary view of legal problems.
- Students must be capable of learning autonomously and having an entrepreneurial spirit.
- Working in multidisciplinary and interdisciplinary fields.

Learning Outcomes

1. Applying an interdisciplinary and integrated vision of the legal problems in an international environment.
2. Assessing legislative changes and reforms in a context of plurality of systems.
3. Assessing the underlying conflicts of interest in the legal problems proposed in an international environment.
4. Building a legal reasoning or discourse in the field of Public International Law, Private International Law and European Union Law.
5. Demonstrating a sensible and critical reasoning: analysis, synthesis, conclusions.
6. Identifying and assessing the changes and evolution of jurisprudence in a context of plurality of systems.
7. Identifying and knowing the basic contents of every stipulated speciality.
8. Identifying and solving problems.
9. Integrating the importance of Law as a regulatory system of social relations, and the contextualisation of the legal phenomenon in the international environment.
10. Managing bibliographic and documentary resources: databases, browsing, etc.
11. Memorising and using the specific terminology of Public International Law, Private International Law and European Union Law.
12. Present information in a way that is appropriate to the type of audience.
13. Seek out, interpret and apply legal provisions related to Public International law, Private International Law and European Union Law.
14. Students must be capable of learning autonomously and having an entrepreneurial spirit.
15. Working in multidisciplinary and interdisciplinary fields.

Content

LESSON 1

Meaning of International Business Law. Content and sources of trade law. International Business Law: history, evolution and current situation. International trade, international business law, international economic law, commercial law and private international law. The sources of international business law: international law, law of the European Union, domestic law, *lex mercatoria*.

LESSON 2

Intangible assets, competition law and non-contractual obligations. Intellectual property. Unfair Competition. Non-contractual liability in specific matters: products liability and damages to the environment.

LESSON 3

Companies. Incorporation of companies. Establishment of companies outside the State of incorporation. Mobility and international transformation of companies. International judicial jurisdiction in corporate matters.

LESSON 4

International contracts. Sources of regulation. Formation and content of the contract. Settlement of disputes before state courts. Legal regime of the international contract.

LESSON 5

International sale of goods. Regulation of the international sale of goods: the Vienna Convention of 1980. Formation of the contract. Obligations of the buyer. Obligations of the seller. Regime of non-compliance.

LESSON 6

International carriage of goods. The different modes of transport. Carriage of goods by sea. Carriage of goods by air. Carriage of goods by road. Carriage of goods by rail. Multimodal transport.

LESSON 7

Modalities of payment, guarantees and financing. Modalities of payment in international trade: cheques, bank transfer, payment order, documentary credit. Guarantees: guarantee contract, independent guarantees, letters of sponsorship, proprietary rights as guarantees. Financing agreements. Insurance contracts.

LESSON 8

Collaboration agreements. Commercial distribution agreement. Transfer of technology agreement. E-commerce and services of the information society.

LESSON 9

Insolvency. Conditions for the opening of the bankruptcy proceeding. Opening of the proceedings. Development of the proceedings. International recognition of the proceedings. International cooperation.

LESSON 10

Arbitration in international trade. Nature of the arbitration. Arbitration agreement. Arbitration proceedings. Judicial intervention in arbitration proceedings. The law applied by the arbitrators. Judicial control of the arbitral award. Exequatur of the arbitral award. Investment arbitration.

Activities and Methodology

| Title | Hours | ECTS | Learning Outcomes |
|-----------------------|-------|------|---|
| Type: Directed | | | |
| Lectures | 22 | 0.88 | 1, 7, 6, 9, 11, 8, 2, 3 |
| Work in class | 22 | 0.88 | 1, 4, 5, 7, 6, 9, 11, 8, 14, 15, 2, 3 |
| Type: Supervised | | | |
| Continuous assessment | 6 | 0.24 | 1, 13, 4, 5, 10, 7, 6, 9, 11, 12, 8, 2, 3 |
| Tutorials | 5 | 0.2 | 1, 13, 5, 10, 7, 6, 9, 11, 8, 14, 2, 3 |

Type: Autonomous

| | | | |
|------------------------------------|----|-----|---------------------------------------|
| Reading of handbooks and documents | 30 | 1.2 | 1, 4, 5, 7, 6, 9, 11, 8, 2, 3 |
| Study | 60 | 2.4 | 1, 4, 5, 7, 6, 9, 11, 8, 14, 15, 2, 3 |

METHODOLOGY

There are three types of activities: activities directed by the teacher, supervised by the teacher and autonomous learning of the student.

1. ACTIVITIES DIRECTED BY THE TEACHER

Activities directed by the teacher are the activities developed in the classroom, under the direction of the teacher during the time scheduled for the class. They may consist in lectures given by the teacher, during the development of the classes practical problems will be raised and analysed and students will be asked to participate, contribute with their own ideas or even they will be invited to advance solutions to the problems that will be posed.

During lectures, the different issues will be explained. Although the teacher's discourse will be the axis of the class, the participation of the students is also necessary. The students should read before the class the materials recommended. They should also take with him the relevant legal norms and judicial decisions that will be used during the class. The vast majority of those materials will be made available through the UAB Moodle.

There will be also activities in class under the supervision of the teacher. Judicial decisions, legal rules and practical problems will be analysed. The participation of the students -individually and in group- will be a key element during the classes. The reading of the materials before the class is also compulsory. In these classes, both written and oral exercises will be carried out. These exercises are aimed not only to strength their capacity for legal analysis but also their ability to work in groups, the capacity to elaborate legal documents and to improve techniques of argumentation and oral expression.

2. SUPERVISED ACTIVITIES

Tutorials, one-on-one or in group, when it will be necessary, and activities aimed at the continuous assessment.

3. AUTONOMOUS ACTIVITIES

Autonomous activities are all those activities in which students organize their time and effort independently, individually or in a group. In the case of the course "International Commerce Law" these autonomous activities are the reading of handbooks and recommended materials as well as the study of the different issues of the program, according with the teacher's instructions.

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.

Assessment

Continuous Assessment Activities

| Title | Weighting | Hours | ECTS | Learning Outcomes |
|---------------------|----------------------------|-------|------|---|
| Final exam (theory) | 50% (5 points out of 10) | 1 | 0.04 | 1, 4, 5, 7, 6, 9, 11, 8, 14, 15, 2, 3 |
| Practical exam | 25% (2,5 points out of 10) | 1 | 0.04 | 1, 13, 4, 5, 7, 6, 9, 11, 8, 14, 15, 2, 3 |

10)

| | | | | |
|-------------------------------|----------------------------|---|------|---|
| Resolution of practical cases | 25% (2,5 points out of 10) | 3 | 0.12 | 1, 13, 4, 5, 10, 7, 6, 9, 11, 12, 8, 14, 15, 2, 3 |
|-------------------------------|----------------------------|---|------|---|

REGULAR ASSESSMENT

The course will be assessed as follows:

- a) 50% of the final grade (5 points) will be based on the final theoretical exam, which will consist of two theoretical questions (2.5 points each).
- b) 25% of the final grade (2.5 points) will correspond to a practical test held during the course, on a date announced at the beginning of the term via the Virtual Campus.
- c) 25% of the final grade (2.5 points) will correspond to two written in-class assignments, on dates announced at the start of the course via the Virtual Campus. Each of these assignments will count for 12.5% of the final grade (1.25 points each).
- d) The final grade will be the weighted result of the final theoretical exam [section "a)"], the practical test [section "b)"], and the two in-class assignments [section "c)"]. Failure to complete the assignments in section "c)" does not prevent a student from passing the course, as long as the final grade obtained from the assessments in sections "a)", "b)", and "c)" reaches a minimum of 5 according to the stated weightings.

Students who do not sit the final exam will be graded as "not evaluable."

- a) The publication of final grades will include information on the date for grade review. All assessable work completed during the course may be reviewed at this time.
- b) During the course, students may request meetings with the instructor to understand the reasoning behind their grades and the evaluation criteria used. These meetings do not preclude the formal grade review described in section a).

REASSESSMENT

Students who have not passed the course in the regular assessment may be eligible for reassessment if they have completed evaluable activities representing at least 66% of the total assessment. The reassessment will include a theoretical exam, with the same format as the regular one (section "a)"), and a practical test (section "b)"). The grades obtained in the theoretical and practical reassessment will account for 75% of the final grade. The remaining 25% will correspond to the two in-class assignments from the regular assessment (section "c)"), which cannot be reassessed.

If the student wishes, they may choose to be reassessed for only the final exam or only the practical exam. In that case, the grade obtained in the regular assessment for the component not reassessed will be used in the final grade calculation.

SINGLE ASSESSMENT

The single assessment will consist of the following components:

1. Practical test with materials covering lessons 1-5 (inclusive): 25% of the final grade.
2. Practical test with materials covering lessons 6-10 (inclusive): 25% of the final grade.
3. Theoretical test (lessons 1-10), without materials: 50% of the final grade.

Reassessment: The same tests as in the single assessment. Only components graded below 5/10 will be reassessed.

Students who do not sit the single assessment exam will be graded as "not evaluable."

USE OF AI

Transparency in the use of AI: The use of Artificial Intelligence (AI) tools is permitted in this course for support tasks such as information retrieval, text correction, translation, or organizing content. Students must clearly indicate how they have used AI, share with the teaching staff the interactions they had with AI tools, and include a critical reflection on how these tools influenced both the process and the final outcome of the activity. Lack of transparency in the use of AI in assessable work will be considered academic dishonesty and may result in partial or total penalties to the grade for that activity, or more serious sanctions in severe cases.

FRAUDULENT CONDUCT

Any fraudulent conduct during evaluable assessments will be reported to academic authorities. If any fraudulent behavior is identified in an evaluable activity, that activity will be graded with a 0.

Bibliography

There is no handbook in English that corresponds exactly with the issues that will be considered in the course. The references to the different materials will be provided by the professor during the course through the moodle.

Useful readings before the course are:

- J.C.T. Chuah, Law of International Trade, Sweet & Mawwell/Thomson Reuters, 7 ed. 2023
- R.A. August/D. Mayer/M. Bixby, International Business Law, Pearsons Education, 6 ed. 2013.

And in Spanish

- J.C. Fernández Rozas/R. Arenas García/P.A. de Miguel Asensio, *Derecho de los Negocios Internacionales*, Madrid, Iustel, 7ª ed. 2024.

The previous reading of the following materials will be also useful:

- Regulation (EUI) 1215/2012
- Regulation (EU) 593/2008
- Regulation (EU) 864/2007
- UN Convention of 1980 on Contracts for the International Sale of Goods

Software

The course does not require any specific software.

Groups and Languages

Please note that this information is provisional until 30 November 2025. You can check it through this [link](#). To consult the language you will need to enter the CODE of the subject.

| Name | Group | Language | Semester | Turn |
|----------------------------|-------|----------|-----------------|---------------|
| (PAUL) Classroom practices | 1 | English | second semester | morning-mixed |
| (TE) Theory | 1 | English | second semester | morning-mixed |