

UNIVERSITY OF FLORIDA LEVIN COLLEGE OF LAW

Preliminary Course Syllabus –
International Business Transactions

Professor Samuel R. Mandelbaum, LL.M. ¹

Spring 2019 Semester

Wednesdays 5 p.m. through 7:50 p.m.

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Course Goals –

To provide law students with familiarity and working ability in handling the legal aspects of international transactions and international dispute resolution in the growing global economy.

Required Course Text –

Chow & Schoenbaum, INTERNATIONAL BUSINESS TRANSACTIONS: PROBLEMS, CASES & MATERIALS (Third Edition, Aspen Publishers, 2015). ISBN: 978-1-4548-4941-4

Office Hours –

As a practicing lawyer with a law firm in Tampa and Orlando, the instructor does not have a regular office at Levin College of Law. However, upon two days advance notice through e-mail at srm@manfitzlaw.com, a conference can be arranged with the instructor to take place at or after 4:00 p.m. on Wednesdays at the law school. In addition, a teleconference with the instructor can be arranged by e-mail in advance as well.

Examinations & Grading –

This course will require a two-hour final examination, which will comprise the base final course grade. The final examination will be open book and consist of a series of short essays.

In addition, there will be an opportunity for a one-step grade increase to the final examination grade. For example, if a student's final examination grade results in a course grade of "B+," the award of a bonus will enhance the final course grade to an "A-."

The bonus opportunity can be earned by those students who put on a 15-minute presentation pertinent to the topic of international business transactions or international litigation & arbitration. Presentations should be geared to the topic(s) being studied at that time. Any student wishing to do a topical presentation must first sign up at least one week in advance with the professor. No more than two presentations will be allowed in any one class.

¹ Admitted Florida & New York Bars; Florida Bar Board-Certified International Lawyer and Florida Bar Board-Certified Civil Trial Litigator; Proctor-in-Admiralty (certified by United States Maritime Law Association); Florida Supreme Court-Certified Mediator. Education: Georgetown University Law School (LL.M.); Vermont Law School (J.D.); State University of New York at Albany (B.S.)

UF Grading Policies for Law Students –

The Levin College of Law’s mean and mandatory distributions are posted on the College’s website and this class adheres to that posted grading policy. The following chart describes the specific letter grade/grade point equivalent in place:

Letter Grade	Point Equivalent
A (Excellent)	4.0
A-	3.67
B+	3.33
B	3.0
B-	2.67
C+	2.33
C (Satisfactory)	2.0
C-	1.67
D+	1.33
D (Poor)	1.0
D-	0.67
E (Failure)	0.0

The law school grading policy is available at: <http://www.law.ufl.edu/student-affairs/current-students/academic-policies#9>.

Workload –

Students should expect to spend, on average, approximately two hours preparing for every hour of class.

Class Attendance –

Requirements for class attendance and make-up exams, assignments, and other work in this course are consistent with university policies that can be found at: <https://catalog.ufl.edu/uzrad/current/regulations!info/attendance.aspx>.

Student Learning Outcomes –

At the conclusion of this course, it is expected that students should be able to:

1. Recognize the legal and institutional frameworks for global trade and commerce;
2. Explain the legal and procedural aspects of transactions for the international sale of goods and services;
3. Recognize and describe required elements of an international sales contract;
4. Explain and understand the various types of international trade financing;

5. Understand and explain various modes of international business, including the establishment of international/foreign sales agencies & distributorships, technology transfer, contract manufacturing and franchising;
6. Explain the process for establishing foreign companies, subsidiaries and joint ventures;
7. Understand and explain the international frameworks for protection of intellectual property rights;
8. Understand and explain the modes and challenges of dispute resolution across borders, including international litigation in national courts; international arbitration; international mediation, and various jurisdictional issues, conflicts of law, evidence and discovery; and existing international treaties & agreements to simplify the process; and,
9. Provide basic advice to future clients in matters of international business, trade and dispute resolution.

Online Course Evaluation Process –

Students are expected to provide feedback on the quality of instruction in this course by completing online evaluations at <https://evaluations.ufl.edu>. Evaluations are typically open during the last two or three weeks of the semester, but students will be given specific times when they are open. Summary results of these assessments are available to students at: <https://evaluations.ufl.edu/results/>."

PRELIMINARY WEEKLY CLASS SCHEDULE & ASSIGNMENTS –

Class 1 – January 9, 2019

Administrative Matters
 Background to International Business Transactions
 Sources of International Business Law
 International Legal Institutions

Assignment – Coursebook - Read pages 1-8; 10-11; 12-21; 22-32 (omit problems)

Class 2 – January 16, 2019

Framework of International Trade & Regulation
 International Sale of Goods
 International Commercial Terms (“INCOTERMS”)

Assignment – Coursebook - Read pages 33-47; 49-66; 67-82 (omit problems); 83-89.

Class 3 – January 23, 2019

Documents of Title

Carriage of Goods by Sea --Hague, Visby & COGSA

Contracts of Affreightment

Bills of Lading

Marine insurance

International Sales Transactions & Trade Law

Assignment – Coursebook - Read pages 89 – 129 (omit problems)

Class 4 – January 30, 2019

Export Controls

Import Laws & Customs

Anti-Boycott Laws

Rules of Origin

Tariff Classifications

Free Trade Agreements & Customs Unions

Assignment – Coursebook - Read pages 130 to 164 (omit problems)

Class 5 – February 6, 2019

Rules Governing Sales Contracts

United Nations Convention on Contracts for the International Sale of Goods (“CISG”)

Assignment – Coursebook – To be assigned

Class 6 – February 13, 2019

Letters of Credit

Strict Compliance

Fraud

Assignment – Coursebook – To be assigned

Class 7 – February 20, 2019

Agency & Distributorships

Technology Transfer & Licensing

International Franchising

Assignment – Coursebook – To be assigned

Class 8 – February 27, 2019

Foreign Investment

Multilateral & Bilateral Trade Treaties

GATT & NAFTA

Assignment – Coursebook – To be assigned

NO CLASS – March 6, 2019

SPRING BREAK

Class 9 – March 13, 2019

Foreign Investment

Foreign Corrupt Practices Act (FCPA)\

International Banking

Assignment – Coursebook – To be assigned

Class 10 – March 20, 2019

Regional Focus:

Foreign Investment in the European Union, China and Brazil

Assignment – Coursebook – To be assigned

Class 11 – March 27, 2019

International Protection of Intellectual Property Rights

Trade-Related Aspects of Intellectual Property (“TRIPS”)

Piracy, Counterfeiting and Gray-Market Goods

Assignment – Coursebook – To be assigned

Class 12 – April 3, 2019

International Litigation & Arbitration

Assignment – Coursebook – To be assigned

Class 13 – April 10, 2019

International Litigation & Arbitration

Assignment – Coursebook – To be assigned

Class 14 – April 17, 2019

International Litigation & Arbitration

Final Review

Assignment – Coursebook – To be assigned

FINAL EXAMINATION – April 30, 2019 at 1:00 p.m.

UNIVERSITY OF FLORIDA POLICIES

University Policy on Accommodating Students with Disabilities: Students requesting accommodation for disabilities must first register with the Dean of Students Office (<http://www.dso.ufl.edu/drc/>). The Dean of Students Office will provide documentation to the student who must then provide this documentation to the instructor when requesting accommodation. You must submit this documentation prior to submitting assignments or taking the quizzes or exams. Accommodations are not retroactive, therefore, students should contact the office as soon as possible in the term for which they are seeking accommodations.

University Policy on Academic Misconduct: Academic honesty and integrity are fundamental values of the University community. Students should be sure that they understand the UF Student Honor Code at <http://www.dso.ufl.edu/students.php>.

***Netiquette: Communication Courtesy:* All members of the class are expected to follow rules of common courtesy in all email messages, threaded discussions and chats. <http://teach.ufl.edu/docs/NetiquetteGuideforOnlineCourses.pdf>