

INTERNATIONAL BUSINESS TRANSACTIONS 559

Spring 2009

Associate Professor Cindy G. Buys

Meeting Place and Times: Room 206
Mondays and Wednesdays: 2-3:15 p.m.

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Office Hours: TBA

Course Description and Objectives:

This course introduces students to the dynamics of business transactions conducted between private citizens and corporations in different countries. We will consider why people and businesses decide to engage in international trade and investment, what risks they face, how they can minimize those risks, and what benefits they hope to gain. We will also consider the advantages and disadvantages of various forms of doing business internationally - through agencies and distributorships, licensing agreements, franchising, joint ventures, establishment of branches or subsidiaries, and the like. In the course of this study, we will examine government regulation of these private transactions both on the national and international level. We also will compare the United States' legal system and business environment to that of other nations and regions. Finally, we will practice some skills needed by international business lawyers, particularly contract negotiation and drafting.

My goals in this course are to:

1. Introduce you to various types of international business transactions, their defining characteristics, advantages and disadvantages;
2. Help you identify the risks inherent in international business transactions and how those risks can be minimized for your clients;
3. Familiarize you with national and international rules governing private business transactions;
4. Sensitize you to cultural differences that may affect international business transactions; and
5. Provide you with practical training in skills essential for international business lawyers.

Required Reading:

Most of the reading assignments for this course will be drawn from Chow & Schoenbaum, *International Business Transactions: Problems, Cases and Materials* (Aspen 2005). Some readings will be posted on the TWEN page, including a three document supplement. Other reading assignments may be distributed in class or photocopied for pick-up at the bookstore, or placed on reserve in the library.

Class Attendance and Preparation:

You are expected to attend classes on a regular basis. If you miss more six (6) classes, you will be withdrawn from the course (barring extraordinary circumstances). Attendance will be taken daily. You are responsible for making sure you sign in each day and for keeping track of your absences. If you enter the room after the class has begun, you may not sign the attendance sheet. Your signature on the attendance sheet constitutes a representation that you have read the assigned material and are prepared to discuss it in an intelligent fashion. Being prepared also means that you are prepared to answer any assigned problems and have completed any written assignments. If I call on you and I judge that you are unprepared, I reserve the right to mark you as absent for that class.

If you are unprepared for class but would like to attend and receive the benefit of the class discussion: (1) do not sign the attendance sheet; (2) give me a note at the start of class with your name and the date. A day of “noting out” counts as one of your permitted absences.

Classroom Etiquette:

Please be courteous to the others in the classroom by keeping distractions to a minimum, turning off any noise-making devices, and giving the class your full attention. You are welcome to use laptops in the classroom for note-taking and other authorized tasks. However, other uses of technological devices are likely to be distracting and possibly even offensive to other persons in the classroom and are therefore prohibited. If it is absolutely necessary for you to leave the classroom while class is in session, please do not disrupt the class upon entering or exiting the room.

Class Recordings

Except in extraordinary circumstances, no videotaping of the class is allowed. However, you may audiotape the class. Any such recordings may be used only for the student's own study purposes. Viewing or listening to a recording of the class does not count as being present in the class, unless I have made a special exception.

TWEN (The West Education Network):

You should register for this course on TWEN during the first week of classes. The syllabus and reading assignments are posted on TWEN, as well as other relevant information. You will be expected to check TWEN before every class and are responsible for any materials posted on TWEN.

Students with Disabilities

The law school's policies and procedures regarding students with disabilities may be found on line at <http://www.law.siu.edu/>. Students with disabilities requiring reasonable accommodations should contact the Registrar's office.

Evaluation:

Your grade will consist of several parts. There will be a take-home assignment at the end of the first unit on the international sale of goods which will count for approximately 35-40% of your grade. There will be short skills exercises, one or more of which will be graded. These will count for approximately 10-15% of your grade. We will work on some of these assignments in class and you will be expected to complete them on your own time.

The largest part of your grade (approximately 50-55%) will be based on a final end-of-semester negotiation and contract drafting exercise that will involve negotiating and drafting an entire international business contract.

In addition, students may earn up to a total of five bonus points for either engaging in above-average class participation or having an excellent class attendance record. Bonus points for above average class participation are awarded in my discretion based both the quality and quantity of a student's participation in the class discussion. With respect to the class attendance bonus points, each student begins the semester with all five points; one point is deducted for each absence.

Emergency Procedures

Southern Illinois University Carbondale is committed to providing a safe and healthy environment for study and work. Because some health and safety circumstances are beyond our control, we ask that you become familiar with the SIUC Emergency Response Plan and Building Emergency Response Team (BERT) program. Emergency response information is available on posters in buildings on campus, on BERT's website at www.bert.siu.edu, Department of Safety's website www.dps.siu.edu (disaster drop down) and in Emergency Response Guideline pamphlet. Know how to respond to each type of emergency.

Instructors will provide guidance and direction to students in the classroom in the event of an emergency affecting your location. **It is important that you follow these instructions and stay with your instructor during an evacuation or sheltering emergency.** The Building Emergency Response Team will provide assistance to your instructor in evacuating the building or sheltering within the facility.