



## Master International Business Law

VU University Amsterdam - Faculteit der Rechtsgeleerdheid - M International Business Law - 2015-2016

The IBL Master's programme is conferred upon students who satisfactorily achieve a minimum of 60 European Credits (EC); one academic year. You can choose between two specializations: the profile Transactions or the profile Regulatory.

The 2015-2016 IBL Master's programme consists of:

- Three compulsory courses (24 EC)
- Optional courses (24 EC)
- A compulsory Master thesis (12 EC)

You can find a calendar for the IBL Master's programme on [www.vu.nl/en](http://www.vu.nl/en): click on the Master programme under 'Programmes', and then go to 'Study programme'.

Please check the [Academic and Examination Regulations](#) for more information about the compositions and the aim of the IBL Master's programme.

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## Master's Programme International Business Law, Specialisation Regulatory

Programme components:

- [Master's programme International Business Law, Specialisation Regulatory - Compulsory](#)
- [Master's Programme International Business Law, Specialisation Regulatory - Compulsory for Specialisation](#)
- [International Business Law, Specialisation Regulatory - Optional](#)

### Master's programme International Business Law, Specialisation Regulatory - Compulsory

Courses:

Name	Period	Credits	Code
<a href="#">International Company Law</a>	Period 1	6.0	R_Int.comp.l
<a href="#">International Contract Law</a>	Period 1+2	12.0	R_IntConL12
<a href="#">Master's Thesis - International Business Law</a>	Ac. Year (September)	12.0	R_MThIBL
<a href="#">Research Seminar - International Business Law</a>	Period 1	6.0	R_RSIBL

### Master's Programme International Business Law, Specialisation Regulatory - Compulsory for Specialisation

Courses:

Name	Period	Credits	Code
<a href="#">Competition Law</a>	Period 4	6.0	R_Eur.comp.l
<a href="#">EU Internal Market Law</a>	Period 1	6.0	R_EUIML
<a href="#">International Business and Internet Law: Privacy, Security and Contracting</a>	Period 4	6.0	R_IBIT
<a href="#">International Trade and Investment Law</a>	Period 2	6.0	R_IntTII6e

### International Business Law, Specialisation Regulatory - Optional

Courses:

Name	Period	Credits	Code
<a href="#">International Arbitration</a>	Period 4	6.0	R_Int.com.ar
<a href="#">International Intellectual Property Law</a>	Period 4	6.0	R_Int.prop.l

<a href="#">International Tax Law</a>	Period 2	6.0	R_Int.tax.l
<a href="#">Private International Law</a>	Period 4	6.0	R_PrivInt

## Master's Programme International Business Law, Specialisation Transactions

Programme components:

- [Master's Programme International Business Law, Specialisation Transactions - Compulsory](#)
- [Master's Programme International Business Law, Specialisation Transactions - Compulsory for Specialisation](#)
- [Master's Programme International Business Law, Specialisation Transactions - Optional](#)

### Master's Programme International Business Law, Specialisation Transactions - Compulsory

Courses:

Name	Period	Credits	Code
<a href="#">International Company Law</a>	Period 1	6.0	R_Int.comp.l
<a href="#">International Contract Law</a>	Period 1+2	12.0	R_IntConL12
<a href="#">Master's Thesis - International Business Law</a>	Ac. Year (September)	12.0	R_MThIBL
<a href="#">Research Seminar - International Business Law</a>	Period 1	6.0	R_RSIBL

### Master's Programme International Business Law, Specialisation Transactions - Compulsory for Specialisation

Courses:

Name	Period	Credits	Code
<a href="#">International Arbitration</a>	Period 4	6.0	R_Int.com.ar
<a href="#">International Intellectual Property Law</a>	Period 4	6.0	R_Int.prop.l
<a href="#">International Tax Law</a>	Period 2	6.0	R_Int.tax.l
<a href="#">Private International Law</a>	Period 4	6.0	R_PrivInt

### Master's Programme International Business Law, Specialisation Transactions - Optional

Courses:

Name	Period	Credits	Code
<a href="#">Competition Law</a>	Period 4	6.0	R_Eur.comp.l

<a href="#">EU Internal Market Law</a>	Period 1	6.0	R_EUIML
<a href="#">International Business and Internet Law: Privacy, Security and Contracting</a>	Period 4	6.0	R_IBIT
<a href="#">International Trade and Investment Law</a>	Period 2	6.0	R_IntTII6e

## Extra Curricular Courses - IBL

### Competition Law

<b>Course code</b>	R_Eur.comp.I (200943)
<b>Period</b>	Period 4
<b>Credits</b>	6.0
<b>Language of tuition</b>	English
<b>Faculty</b>	Faculteit der Rechtsgeleerdheid
<b>Coordinator</b>	C. Kaupa
<b>Examinator</b>	C. Kaupa
<b>Teaching method(s)</b>	Reading
<b>Level</b>	400

#### Course objective

The course provides an introduction to European competition law. By the end of the course, students will be able to analyze and discuss European competition law on a highly advanced level.

#### Course content

The course deals with all central aspects of competition law: horizontal agreements, the abuse of a dominant position, and merger control. Additionally, the course will address important economic aspects of competition law and draw comparisons to the US-American system.

#### Form of tuition

The class includes lectures, discussions, student presentations, a moot court and guest speakers.

#### Type of assessment

Final paper, assignments and class participation

#### Course reading

To be announced on Blackboard

#### Target group

Apart from regular students, the course is also available for:  
 Students from other universities/faculties  
 Exchange students  
 Contractor (students who pay for one course)

### EU Internal Market Law

<b>Course code</b>	R_EUIML ()
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<b>Period</b>	Period 1
<b>Credits</b>	6.0
<b>Language of tuition</b>	English
<b>Faculty</b>	Faculteit der Rechtsgeleerdheid
<b>Coordinator</b>	prof. dr. G.T. Davies
<b>Examinator</b>	prof. dr. G.T. Davies
<b>Teaching staff</b>	prof. dr. G.T. Davies, C. Kaupa
<b>Teaching method(s)</b>	Lecture
<b>Level</b>	400

### **Course objective**

This course equips students to understand and criticize the law which allows goods, services, companies, citizens and their families, and investment capital to freely move within the EU. A particular emphasis is on the case law of the European Court of Justice and:

1. how this relates to the written law of the Treaties, and to national law and institutions,
2. How it has developed over time, and the internal logic of that development,
3. what the social, legal and economic consequences of that case law have been,
4. which theories and ideas have been used to criticise and understand it, and whether these provide an adequate explanation, and
5. how the law can/should develop in the light of the current situation in the EU.

These goals are primarily achieved by reading the judgments themselves, and a certain amount of academic literature, and discussing them in the light of the points above. This contributes in particular to the goals selected from the lists above.

### **Course content**

The EU law providing for the free movement of goods, persons, services, companies and capital between the Member States of the EU. This includes the law relating to EU citizens and their family members, including family members from outside the EU. Particular topics addressed include:  
market law and the welfare state; product deregulation and its consequences; regulatory competition; EU citizens and migration of family members to the EU; the rights of EU citizens to work and live in other states; migration of non-economically active citizens and inter-state solidarity; the effect of free movement law on private organizations, including insurers, trade unions and sports regulators; the internal market and cross-border investment.

### **Type of assessment**

Written exam

### **Course reading**

Chalmers, Davies and Monti, EU Law, (CUP, 3rd edn, 2014)

### **Recommended background knowledge**

Exchange - Some basic EU law concepts, or willingness to do some extra background reading and sufficient academic ability to cope with this.

### **Target group**

Apart from regular students, the course is also available for:

Students from other universities/faculties

Exchange students

Contractor (students who pay for one course)

### **Remarks**

IBL

Degree programme objectives International Business Law

The Master's graduate has thorough knowledge and understanding of the main areas of international business law.

The Master's graduate understands the relationships between the main areas of international business law and recognizes which legal issues are involved and how these influence each other.

The Master's graduate knows who the actors of the international business law environment are and how they interact with each other, while acknowledging legal and cultural differences. The Master's graduate understands the role of governments and the horizontal economic relationships between them, the vertical relationship between them and private business and, finally, the horizontal relationships between private companies. Consequently, the graduate discerns the legal position of various parties and understands how the conduct of these parties can influence legal positions.

The Master's graduate possesses analytical skills to apply acquired knowledge and insights to concrete problems in the area of IBL.

The Master's graduate 'translates' practical problems into legally manageable problems.

The Master's graduate shows evidence of an independent, critical attitude with regard to existing theories and knowledge.

The Master's graduate should be able to analyse complex issues in relation to international business and make useful legal recommendations. A Master's graduate can formulate an independent and well-substantiated opinion on complex legal issues and take a substantiated position within the existing debates on various international business law topics.

The Master's graduate has a self-critical attitude that enables them to independently acquire new knowledge and to improve their analytical, research and communicative skills.

### **RECHTSGELEERHDEID**

The following course objectives are only available in Dutch:

Eindtermen master Rechtsgeleerdheid

De afgestudeerde master beschikt over een academisch werk- en denkniveau;

heeft diepgaande en specialistische kennis van en inzicht in minimaal



één deelgebied van het recht

heeft inzicht in de samenhang tussen verschillende onderdelen van het recht, met inbegrip van het nationale en internationale recht

De afgestudeerde master beschikt over de volgende (juridische) vaardigheden:

Analytische vaardigheden:

de juridische en maatschappelijke aspecten van een vraagstuk in hun onderlinge samenhang beoordelen en daarover kritisch nadenken/oordelen

zich inzicht verschaffen in de problemen die zich bij rechtsvorming op het gekozen deelgebied voordoen en een bijdrage leveren aan oplossing daarvan

Probleemoplossende vaardigheden:

complexe casus diepgaand analyseren en interpreteren en zelfstandig juridische oplossingen aandragen

complexe juridische problemen onderkennen, analyseren en oplossen

Onderzoeks- en presentatievaardigheden:

met argumenten onderbouwde mening formuleren over een complex juridisch probleem of een nieuwe ontwikkeling

actief deelnemen aan een wetenschappelijk debat op het deelgebied dat het masterprogramma beslaat

## International Arbitration

<b>Course code</b>	R_Int.com.ar (200953)
<b>Period</b>	Period 4
<b>Credits</b>	6.0
<b>Language of tuition</b>	English
<b>Faculty</b>	Faculteit der Rechtsgeleerdheid
<b>Coordinator</b>	dr. J.J. van Haersolte-van Hof
<b>Examinator</b>	dr. J.J. van Haersolte-van Hof
<b>Teaching staff</b>	dr. J.J. van Haersolte-van Hof
<b>Teaching method(s)</b>	Reading
<b>Level</b>	400

### Course objective

The objectives of this course are to promote academic education and to encourage critical and independent thinking. Upon completion of the course, the student will be able to practice professionally in the field of arbitration. To this effect, the course discusses realistic problems so that students will be able to resolve such legal problems on a sound theoretical and pragmatic basis.

### Course content

The focus of the course is on commercial arbitration. There will be some discussion of procedural aspects of international investment arbitration. Students are expected to be familiar with basic concepts of private international law.

The course focuses on a combination of practical and theoretical issues. While some elements are taught on a structured, theoretical setting (i.e. the workings of a typical international arbitration law), other components of the course are taught on the basis of practical, real-life, examples (such as drafting appropriate arbitration clauses).

### **Type of assessment**

Written exam and paper

### **Course reading**

Redfern and Hunter on International Arbitration, Student Version

### **Entry requirements**

Exchange students - Reasonable knowledge of civil law of procedure and private international law.

### **Target group**

In the academic year 2015-2016 the course will be available voor regular students only.

### **Remarks**

#### **OBJECTIVES**

The Master's graduate has thorough knowledge and understanding of the main areas of international business law.

The Master's graduate understands the relationships between the main areas of international business law and recognizes which legal issues are involved and how these influence each other.

The Master's graduate knows who the actors of the international business law environment are and how they interact with each other, while acknowledging legal and cultural differences. The Master's graduate understands the role of governments and the horizontal economic relationships between them, the vertical relationship between them and private business and, finally, the horizontal relationships between private companies. Consequently, the graduate discerns the legal position of various parties and understands how the conduct of these parties can influence legal positions.

The Master's graduate possesses analytical skills to apply acquired knowledge and insights to concrete problems in the area of IBL.

The Master's graduate 'translates' practical problems into legally manageable problems.

The Master's graduate can analyse and assess scholarly literature, case law and legal and policy documents and critically reflect upon them.

The Master's graduate shows evidence of an independent, critical attitude with regard to existing theories and knowledge.

The Master's graduate possesses the necessary knowledge of research methodologies in international law and the necessary research skills to independently prepare and carry out a jurisprudential study of some

size. The Master's graduate can critically assess the value of research findings, draw conclusions from them and relate research results to theoretical debates within the domain and adjust them when necessary.

The Master's graduate should be able to analyse complex issues in relation to international business and make useful legal recommendations. A Master's graduate can formulate an independent and well-substantiated opinion on complex legal issues and take a substantiated position within the existing debates on various international business law topics.

The Master's graduate should have the ability to present orally and/or in writing the setup, research methodology, theoretical foundations and findings of their research to both experts and non-experts. The Master's graduate has a good command of English legal terms which are used within international business law.

The Master's graduate has a self-critical attitude that enables them to independently acquire new knowledge and to improve their analytical, research and communicative skills.

## International Business and Internet Law: Privacy, Security and Contracting

<b>Course code</b>	R_IBIT ()
<b>Period</b>	Period 4
<b>Credits</b>	6.0
<b>Language of tuition</b>	English
<b>Faculty</b>	Faculteit der Rechtsgeleerdheid
<b>Coordinator</b>	prof. mr. A.R. Lodder
<b>Examinator</b>	prof. mr. A.R. Lodder
<b>Teaching method(s)</b>	Lecture, Seminar
<b>Level</b>	400

### Course objective

Students that have graduated for this course:

- Acquire an advanced knowledge of legal issues international businesses encounter related to the internet;
- Are able to 'translate' practical problems into legally manageable problems, and independently analyse complex factual situations and apply the law to these situations and make useful legal recommendations;
- Are able to construct a legal argument based on proper use of legal sources;
- Are able to show evidence of an independent, critical attitude with regard to existing theories and knowledge.
- Are able to criticise the state of the law in the light of technical topics related to the internet, and to take an argued standpoint on current academic debates concerning this law.

### Course content

In the 1970s-1990s in particular academics were active on the internet, businesses were not allowed. Since mid 1990s commercial activity on the internet was introduced. Of all domain names over 90% are .com. The first commercial website ever was Pizzahut.com, now all international businesses are present on the internet. For businesses it is not always clear what they should and should not do online. How they can use the

internet and in particular what the legal boundaries are. International businesses are challenged by a wide variety of legal topics concerning the internet. In this course we the topics addressed in the course include but are not limited to:

- Legal aspects of cloud computing (contracting, privacy, security)
- Data protection and cross-border data flows (security, contracting, privacy)
- Legal aspects of big data analytics (contracting, privacy)
- Legal aspects of web care (contracting, privacy)
- Legal aspects of cyber attacks and security (security, contracting, privacy)

#### **Form of tuition**

The course will consist for the greater part of lectures, where there is room for discussion and questions, and several tutorials. Students are expected to actively participate in the lectures by expressing their opinion and by posing questions.

#### **Type of assessment**

Changed: February 2016  
Individual assignments

#### **Course reading**

The required literature will be made available on Blackboard.

#### **Target group**

Apart from regular students, the course is also available for:  
Students from other universities/faculties  
Exchange students  
Contractor (students who pay for one course)

## International Company Law

<b>Course code</b>	R_Int.comp.I (200936)
<b>Period</b>	Period 1
<b>Credits</b>	6.0
<b>Language of tuition</b>	English
<b>Faculty</b>	Faculteit der Rechtsgeleerdheid
<b>Coordinator</b>	mr. dr. B.H.A. van Leeuwen
<b>Examinator</b>	mr. dr. B.H.A. van Leeuwen
<b>Teaching staff</b>	prof. mr. W.J.M. van Veen, prof. mr. A.F. Verdam, prof. mr. G.T.M.J. Raaijmakers, mr. dr. B.H.A. van Leeuwen
<b>Teaching method(s)</b>	Lecture, Seminar
<b>Level</b>	400

#### **Course objective**

This course is intended for students from abroad as well as for national students of the law faculty. Companies play an important role in economies. The globalization of social, political and economic activity has increased the attention for systems of company regulation around the world. The credit crunch caused new regulatory attention for issues of governance of companies and for issues relating to investors. Aspects of company law and securities law within EU countries and the Anglo-American countries will be compared. The objective of this course is to broaden the perspective on company law and to explain the differences in

legal approaches to aspects of company law. Through assignments, the students will also have the possibility to compare aspects of their domestic

company law with (other) major legal systems. Weekly there will be lectures, 7 in total. Once every two weeks there will be a workshop.

### **Course content**

Different approaches across the world in company law

Basics of European company law

The rights and obligations of shareholders

The duties and responsibilities of directors; corporate social responsibility

The internal governance of companies

Investor and creditor protection through reporting

Regulation of financial markets

Non-commercial organizations/social economy

### **Type of assessment**

Three assignments (3-4 pages) to be written in multi-jurisdictional teams of 2-3 persons.

Written exam; the resit may be an oral exam.

### **Course reading**

Reader

### **Recommended background knowledge**

Exchange students - the student must have basic knowledge of company law systems in any jurisdiction

### **Target group**

Apart from regular students, the course is also available for:

Students from other universities/faculties

Exchange students

Contractor (students who pay for one course)

### **Remarks**

English language courses, literature, assignments and tentamination.

### **OBJECTIVES**

The Master's graduate has thorough knowledge and understanding of the main areas of international business law.

The Master's graduate understands the relationships between the main areas of international business law and recognizes which legal issues are involved and how these influence each other.

The Master's graduate knows who the actors of the international business law environment are and how they interact with each other, while acknowledging legal and cultural differences. The Master's graduate understands the role of governments and the horizontal economic relationships between them, the vertical relationship between them and private business and, finally, the horizontal relationships between private companies. Consequently, the graduate discerns the legal position of various parties and understands how the conduct of these parties can influence legal positions.

The Master's graduate possesses analytical skills to apply acquired

knowledge and insights to concrete problems in the area of IBL.  
The Master's graduate 'translates' practical problems into legally manageable problems.

The Master's graduate can analyse and assess scholarly literature, case law and legal and policy documents and critically reflect upon them.  
The Master's graduate shows evidence of an independent, critical attitude with regard to existing theories and knowledge.

The Master's graduate possesses the necessary knowledge of research methodologies in international law and comparative law and the necessary research skills to independently prepare and carry out a jurisprudential study of some size.

The Master's graduate can critically assess the value of research findings, draw conclusions from them and relate research results to theoretical debates within the domain and adjust them when necessary.

The Master's graduate should be able to analyse complex issues in relation to international business and make useful legal recommendations. A Master's graduate can formulate an independent and well-substantiated opinion on complex legal issues and take a substantiated position within the existing debates on various international business law topics.

The Master's graduate should have the ability to present orally and/or in writing the setup, research methodology, theoretical foundations and findings of their research to both experts and non-experts. The Master's graduate has a good command of English legal terms which are used within international business law.

The Master's graduate has a self-critical attitude that enables them to independently acquire new knowledge and to improve their analytical, research and communicative skills.

## International Contract Law

<b>Course code</b>	R_IntConL12 ()
<b>Period</b>	Period 1+2
<b>Credits</b>	12.0
<b>Language of tuition</b>	English
<b>Faculty</b>	Faculteit der Rechtsgeleerdheid
<b>Coordinator</b>	mr. dr. R. Mellenbergh
<b>Examinator</b>	mr. dr. R. Mellenbergh
<b>Teaching staff</b>	prof. mr. R.P.J.L. Tjittes, mr. dr. R. Mellenbergh, mr. P.S. Bakker, dr. mr. C.B.P. Mahe
<b>Teaching method(s)</b>	Lecture
<b>Level</b>	500

### Course objective

In brief, the course aims to enable the participants:

(1) to get acquainted with the basic terminology and concepts of international contract law in general, in relation to certain important international commercial contracts in practice;

(2) to enhance the knowledge of contract laws around the world and of the international framework (PICC; PECL/DCFR; CISG; EU proposal on a Common European Sales Law);

(3) to discover similarities and differences in the outcome of a specific case when applying different contract laws;

(4) to learn when, why and how to deviate from the applicable national non-mandatory contract law;

(5) to learn about commonly used boilerplate clauses in international commercial contracts and their importance in international contract law.

### **Course content**

Part 1:

- Class 1: Explanation of the Course; Introduction to Important Contract Laws of the World

- Class 2: Pre-contractual Negotiations & Letters of Intent

- Class 3: Offer & Acceptance, Battle of Forms

- Class 4: Information Duties & Defects of Consent

- Class 5: Remedies for Non-Performance

- Class 6: Interpretation & Supervening Effects

Part 2:

- Class 7: Sale of Goods

- Class 8: Mergers & Acquisitions

- Class 9: Agency

- Class 10: Construction Contracts

- Class 11: Credit Facility Contracts

- Class 12: Discussing an Exam of the previous academic year

### **Form of tuition**

In this course the following working methods will be used:

(1) Preparing the classes by reading and studying the course materials.

The main course material is the book: H. Beale, B. Fauvarque-Cosson, J.W. Rutgers, D. Tal-Ion & S. Vogenauer, Cases, Materials and Text on Contract Law, Oxford and Portland, Oregon: Hart Publishing, 2010.

Additional course material will be put on Blackboard, such as commonly used clauses in international commercial contracts (boilerplates) and references to international instruments such as PICC, PECL/DCFR, CISG and to additional literature on international contract law.

(2) Questions and case studies. To show the relativity of the different contract laws with regard to the outcome of a specific case, questions and case studies will be put on Blackboard with respect to some classes. Participants are expected to prepare these questions and case studies and to discuss their answers during class.

(3) Group discussions based on course materials, questions and case studies. You are considered to be familiar with the contract law of your home country. The legal problems which you have studied in your home country and for which the contract law applicable in your country provides solutions, are not only recognized in your country: these problems are generally recognized in other countries as well. The knowledge of all participants will be used during the classes to confront different contract laws with each other in order to discover the various solutions that are possible to solve the same issues.

(4) Papers. During this course, participants must prepare three individual papers. Instructions as regards content and form will be put

on Blackboard. Strict deadlines apply. Participants will receive detailed feedback from Dr. Mellenbergh in writing with regard to their first paper for the benefit of preparing their subsequent two papers. It is compulsory to prepare and hand in all three papers (in time) in order to obtain a final grade for the course.

### **Type of assessment**

- Written exam in December (70%) and three papers (each 10%) (12 ECTS) (IBL students)
- Written exam in December (80%) and one paper (20%) (6 ECTS) (LM&B students)

### **Course reading**

- H. Beale, B. Fauvarque-Cosson, J.W. Rutgers, D. Tallon & S. Vogenauer, Cases, Materials and Text on Contract Law, Oxford and Portland, Oregon: Hart Publishing, 2010.

- Additional course material will be put on Blackboard, such as commonly used clauses in international commercial contracts (boilerplates) and references to international instruments such as PICC, PECL/DCFR, CISG and to additional literature on international contract law.

### **Target group**

- The complete course (parts 1 & 2 together) is exclusively provided to the students of the International Business Law Master of VU University Amsterdam.
- Part 1 of this course is also provided to the students of the Law, Markets & Behavior Master of VU University Amsterdam.

### **Remarks**

#### **OBJECTIVES**

The Master's graduate has thorough knowledge and understanding of the main areas of international business law.

The Master's graduate understands the relationships between the main areas of international business law and recognizes which legal issues are involved and how these influence each other.

The Master's graduate knows who the actors of the international business law environment are and how they interact with each other, while acknowledging legal and cultural differences. The Master's graduate understands the role of governments and the horizontal economic relationships between them, the vertical relationship between them and private business and, finally, the horizontal relationships between private companies. Consequently, the graduate discerns the legal position of various parties and understands how the conduct of these parties can influence legal positions.

The Master's graduate possesses analytical skills to apply acquired knowledge and insights to concrete problems in the area of international business law.

The Master's graduate 'translates' practical problems into legally manageable problems.

The Master's graduate can analyse and assess scholarly literature, case law and legal and policy documents and critically reflect upon them.



The Master's graduate shows evidence of an independent, critical attitude with regard to existing theories and knowledge.

The Master's graduate possesses the necessary knowledge of research methodologies in international law and the necessary research skills to independently prepare and carry out a jurisprudential study of some size. The Master's graduate can critically assess the value of research findings, draw conclusions from them and relate research results to theoretical debates within the domain and adjust them when necessary.

The Master's graduate should be able to analyse complex issues in relation to international business and make useful legal recommendations. A Master's graduate can formulate an independent and well-substantiated opinion on complex legal issues and take a substantiated position within the existing debates on various international business law topics.

The Master's graduate should have the ability to present orally and/or in writing the setup, research methodology, theoretical foundations and findings of their research to both experts and non-experts. The Master's graduate has a good command of English legal terms which are used within international business law.

The Master's graduate has a self-critical attitude that enables them to independently acquire new knowledge and to improve their analytical, research and communicative skills.

## International Intellectual Property Law

<b>Course code</b>	R_Int.prop.I (200991)
<b>Period</b>	Period 4
<b>Credits</b>	6.0
<b>Language of tuition</b>	English
<b>Faculty</b>	Faculteit der Rechtsgeleerdheid
<b>Coordinator</b>	prof. dr. M.R.F. Senftleben
<b>Examinator</b>	prof. dr. M.R.F. Senftleben
<b>Teaching staff</b>	prof. dr. M.R.F. Senftleben
<b>Teaching method(s)</b>	Lecture
<b>Level</b>	500

### Course objective

The course provides an overview of the international legal framework for the protection of intellectual property (IP).

Participants will obtain a general understanding of the role of IP protection in international trade, underlying policy considerations and the current debate on imbalances in the international protection system.

Participants will acquire the ability to identify and solve problems arising from the international nature of intellectual property, and the ability to assess the current IP system critically in the light of social, cultural and economic needs in developing and developed countries.

### Course content

The course focuses on the principles and minimum standards of protection established in the Berne Convention for the Protection of Literary and

Artistic Works, the Paris Convention for the Protection of Industrial Property and, in particular, the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS). The following issues will be dealt with in particular:

- patent protection and public health, in particular the issue of access to medicine in developing countries;
- copyright protection and freedom to create, in particular the remix and reuse of protected works in the digital environment and the room for corresponding online platforms, such as YouTube;
- trademark protection of powerful brands, such as enhanced protection for trademarks in the luxury goods industry;
- current topics on the international IP agenda.

International intellectual property registration systems constitute an additional topic of the course. The Madrid System for the International Registration of Marks and the Patent Cooperation Treaty will be discussed.

### **Type of assessment**

Written exam and presentation

### **Course reading**

WIPO Intellectual Property Handbook - Policy, Law and Use,  
2nd edition, Geneva, 2004  
WIPO Publication No. 489(E),  
ISBN 92-805-1291-7  
available at:<http://www.wipo.int/about-ip/en/iprm/>

In addition to this general overview of the international framework of protection, academic articles on specific topics of international IP law will be made available to the students as reading assignments during the course.

### **Target group**

Apart from regular students, the course is also available for:  
Students from other universities/faculties  
Exchange students  
Contractor (students who pay for one course)

### **Remarks**

#### **CAPACITY**

A maximum number of 40 students may participate in this course.

### **OBJECTIVES**

The following course objectives are only available in Dutch:

Eindtermen master Rechtsgeleerdheid

De afgestudeerde master beschikt over een academisch werk- en denkniveau;

heeft diepgaande en specialistische kennis van en inzicht in minimaal één deelgebied van het recht

heeft inzicht in de samenhang tussen verschillende onderdelen van het recht, met inbegrip van het nationale en internationale recht

De afgestudeerde master beschikt over de volgende (juridische) vaardigheden:

Analytische vaardigheden:

de juridische en maatschappelijke aspecten van een vraagstuk in hun onderlinge samenhang beoordelen en daarover kritisch nadenken/oordelen  
zich inzicht verschaffen in de problemen die zich bij rechtsvorming op

het gekozen deelgebied voordoen en een bijdrage leveren aan oplossing daarvan

een probleem vanuit verschillende deelgebieden op een integratieve manier benaderen

literatuur en juridische bronnen diepgaand analyseren en interpreteren en kritisch beschouwen (waar relevant ook in de Engelse taal, waar relevant ook op nieuwe rechtsgebieden)

rechtsregels afleiden uit concrete gevallen (inductie)

Probleemoplossende vaardigheden:

complexe casus diepgaand analyseren en interpreteren en zelfstandig juridische oplossingen aandragen

complexe juridische problemen onderkennen, analyseren en oplossen

Onderzoeks- en presentatievaardigheden:

individueel een rechtswetenschappelijk onderzoek op academisch niveau voorbereiden en uitvoeren (probleemstelling formuleren en afbakenen,

informatie verzamelen, gegevens interpreteren, conclusies trekken,

evalueren en aanbevelingen en suggesties doen voor verder onderzoek)

met argumenten onderbouwde mening formuleren over een complex juridisch probleem of een nieuwe ontwikkeling

actief deelnemen aan een wetenschappelijk debat op het deelgebied dat het masterprogramma beslaat

The following course objectives of the Masterprogramme of International Business Law

The Master's graduate has thorough knowledge and understanding of the main areas of international business law.

The Master's graduate understands the relationships between the main areas of international business law and recognizes which legal issues are involved and how these influence each other.

The Master's graduate knows who the actors of the international business law environment are and how they interact with each other, while acknowledging legal and cultural differences. The Master's graduate understands the role of governments and the horizontal economic relationships between them, the vertical relationship between them and private business and, finally, the horizontal relationships between private companies. Consequently, the graduate discerns the legal position of various parties and understands how the conduct of these parties can influence legal positions.

The Master's graduate possesses analytical skills to apply acquired knowledge and insights to concrete problems in the area of IBL.

The Master's graduate 'translates' practical problems into legally manageable problems.

The Master's graduate can analyse and assess scholarly literature, case law and legal and policy documents and critically reflect upon them.

The Master's graduate shows evidence of an independent, critical attitude with regard to existing theories and knowledge.

The Master's graduate possesses the necessary knowledge of research methodologies in international law and the necessary research skills to independently prepare and carry out a jurisprudential study of some size. The Master's graduate can critically assess the value of research findings, draw conclusions from them and relate research results to theoretical debates within the domain and adjust them when necessary.

The Master's graduate should be able to analyse complex issues in relation to international business and make useful legal recommendations. A Master's graduate can formulate an independent and well-substantiated opinion on complex legal issues and take a substantiated position within the existing debates on various international business law topics.

The Master's graduate should have the ability to present orally and/or

in writing the setup, research methodology, theoretical foundations and findings of their research to both experts and non-experts. The Master's graduate has a good command of English legal terms which are used within international business law.

The Master's graduate has a self-critical attitude that enables them to independently acquire new knowledge and to improve their analytical, research and communicative skills.

## International Tax Law

<b>Course code</b>	R_Int.tax.I (200949)
<b>Period</b>	Period 2
<b>Credits</b>	6.0
<b>Language of tuition</b>	English
<b>Faculty</b>	Faculteit der Rechtsgeleerdheid
<b>Coordinator</b>	I. Kunst
<b>Examinator</b>	I. Kunst
<b>Teaching staff</b>	prof. dr. mr. F.P.G. Potgens, mr. drs. B.B. de Mik, I. Kunst, mr. dr. R.A. Wolf
<b>Teaching method(s)</b>	Reading
<b>Level</b>	400

### Course objective

Students that have graduated for this course:

- Have a structured understand of the following key concepts, systems and principles of (international) taxation and their interaction: financial flows, flow of goods & services, at arm's length principle, transfer pricing, national corporate income tax systems, European tax law, VAT and double tax treaties.
- Understand the impact of taxation on international business / doing business in a cross-border context.
- Are able to identify elements in international business structures that may have a tax angle to consider.
- Are able to form a well-founded opinion about existing controversies (BEPS) currently subject of public tax debates using their understanding of the basic concepts and their interaction.
- Are able to speak and understand the tax lingo used by tax related stakeholders, such as tax advisors, tax departments and tax authorities, helping students to effectively communicate with such stakeholders.
- Have the background knowledge and the confidence to pursue specific international tax enquiries independently.

### Course content

This course discusses the principles and mechanisms of international (direct) taxation of companies, the contents and effects of EU corporate tax directives and the impact of EU case law on the tax systems of EU Member States. The emphasis is on concepts rather than on technical details. The perspective is multilateral (mainly OECD and EU) rather than domestic, although examples of approaches and systems of various OECD Member States will be given. Furthermore, there will be a course on VAT and custom duties in relation to international trade.

### Form of tuition

For most of the combined courses and tutorials, students will have to prepare cases concerning cross-border activities in which the acquired knowledge should be applied. During the combined courses and tutorials, students will be asked to present their analysis of the cases and students are expected to participate actively and critically in discussions on the subjects treated.

**Type of assessment**

Grades will be based on a written test. The test consists of case studies, which are comparable to the cases discussed during the course and are open in nature.

**Course reading**

Michael Lang, Introduction to the Law of Double Tax Conventions, 2nd edition, Amsterdam: IBFD, 2013.

Michael Lang, Pasquale Pistone, Josef Schuch, Claus Staringer (eds.), Introduction to European Tax Law: Direct Taxation, 3rd edition, Wien: Linde Verlag, 2013.

**Entry requirements**

Students participating in this course should have obtained a Bachelor's degree in academic higher education (WO). Knowledge about economics and business administration is preferred, but not required. As such, a degree in finance, economics, business administration or law is preferred, but students with other backgrounds are also encouraged to apply.

**Target group**

Apart from regular students, the course is also available for:  
 Students from other universities/faculties  
 Exchange students  
 Contractor (students who pay for one course)

**International Trade and Investment Law**

<b>Course code</b>	R_IntTII6e ()
<b>Period</b>	Period 2
<b>Credits</b>	6.0
<b>Language of tuition</b>	English
<b>Faculty</b>	Faculteit der Rechtsgeleerdheid
<b>Coordinator</b>	dr. H.M.G. Denters
<b>Examinator</b>	dr. H.M.G. Denters
<b>Teaching staff</b>	dr. H.M.G. Denters
<b>Teaching method(s)</b>	Lecture
<b>Level</b>	400

**Course objective**

The course focuses on the needs of the international business practitioners. Students successfully completing the course should be able to understand relevant principles and rules of the world trading and investment system, and solve legal problems in these fields.

**Course content**

WTO-purposes and Membership, Single Undertaking: Agreements, Understandings, Doha Round problems

Principles of trade liberalization, Market access, MFN and NT /concept of 'like' product, How do GATT and GATS commitments differ?  
World Trading System vs Regionalism, The emergence of comprehensive regional trade and investment agreements, FTAs and CUs  
Exceptions to MFN/NT, General/ Security exceptions, Safeguard measures, BoP measures, GSP schedules  
Non-tariff barriers to trade: SPS and TBT  
International Investment Law, Development of FDI, Definition Sources of FDI Law, Structure of BITs, Fair and equitable treatment, Expropriation, Compensation, Full protection and security

### **Type of assessment**

Assignments

### **Course reading**

Micheal J. Trebilcock, Advanced Introduction to International Trade Law, Edward Elgar, 2015  
Robert Dolzer, Christoph Schreuer, Principles of International Investment Law (2nd ed.), Oxford University Press, 2012 (available at <http://opil.ouplaw.com/view/10.1093/law/9780199651795.001.0001/law-97801>)  
Materials on BlackBoard  
Case law referred to in classes in <http://www.worldtradelaw.net/>.

### **Remarks**

This course may only be followed by students of the International Business Law master programme.

The Master's graduate has thorough knowledge and understanding of the main areas of international business law.

The Master's graduate understands the relationships between the main areas of international business law and recognizes which legal issues are involved and how these influence each other.

The Master's graduate knows who the actors of the international business law environment are and how they interact with each other, while acknowledging legal and cultural differences. The Master's graduate understands the role of governments and the horizontal economic relationships between them, the vertical relationship between them and private business and, finally, the horizontal relationships between private companies. Consequently, the graduate discerns the legal position of various parties and understands how the conduct of these parties can influence legal positions.

The Master's graduate possesses analytical skills to apply acquired knowledge and insights to concrete problems in the area of IBL.

The Master's graduate 'translates' practical problems into legally manageable problems.

The Master's graduate can analyse and assess scholarly literature, case law and legal and policy documents and critically reflect upon them.

The Master's graduate shows evidence of an independent, critical attitude with regard to existing theories and knowledge.

The Master's graduate possesses the necessary knowledge of research methodologies in international law and the necessary research skills to independently prepare and carry out a jurisprudential study of some size. The Master's graduate can critically assess the value of research findings, draw conclusions from them and relate research results to theoretical debates within the domain and adjust them when necessary.

The Master's graduate should be able to analyse complex issues in relation to international business and make useful legal recommendations. A Master's graduate can formulate an independent and

well-substantiated opinion on complex legal issues and take a substantiated position within the existing debates on various international business law topics.

The Master's graduate should have the ability to present orally and/or in writing the setup, research methodology, theoretical foundations and findings of their research to both experts and non-experts. The Master's graduate has a good command of English legal terms which are used within international business law.

The Master's graduate has a self-critical attitude that enables them to independently acquire new knowledge and to improve their analytical, research and communicative skills.

## Master's Thesis - International Business Law

<b>Course code</b>	R_MThIBL ()
<b>Period</b>	Ac. Year (September)
<b>Credits</b>	12.0
<b>Language of tuition</b>	English
<b>Faculty</b>	Faculteit der Rechtsgeleerdheid
<b>Coordinator</b>	I.C. Ciobanasu LLM
<b>Examinator</b>	I.C. Ciobanasu LLM
<b>Level</b>	600

### Course objective

The goal of the master thesis is for students to complete an independent research project on a substantial scholarly topic in the field of international business law and within the curriculum taught during the VU IBL programme. This is the most significant research paper a master student produces while at the Faculty of Law of VU University Amsterdam. The thesis is intended to draw upon the master student's unique curriculum and intellectual experiences encountered while at VU University Amsterdam.

### Course content

The final thesis requires every student to independently conduct research and write on a topic in one or more interconnected areas of international business law and to give a formal oral presentation (colloquium) to the members of a special committee. The Master's thesis can take different forms, varying from theory-based analyses to historical analyses of legal concepts and institutions, to pragmatic approaches to research or meta-theoretical reflections. The topic of the final thesis as well as the theories and the methodologies used in it are linked to (a) the topics, theories and methodologies discussed in the courses chosen and (b) the research projects being conducted by the lecturers. Students are encouraged to work on questions that assist the further development of ongoing research. Lecturers make suggestions for thesis topics based on their own research interests and invite students to attend conferences and various seminars in their fields of expertise.

### Type of assessment

Paper and presentation

### Course reading

By indication.

## Remarks

### MORE INFORMATION

Ioana Ciobanasu - coordinator IBL - [i.c.ciobanasu@vu.nl](mailto:i.c.ciobanasu@vu.nl)

Agnieszka Machnicka - director IBL - [a.a.machnicka@vu.nl](mailto:a.a.machnicka@vu.nl)

Rik Mellenbergh - director IBL - [r.mellenbergh@vu.nl](mailto:r.mellenbergh@vu.nl)

### OBJECTIVES

The Master's graduate has thorough knowledge and understanding of the main areas of international business law.

The Master's graduate understands the relationships between the main areas of international business law and recognizes which legal issues are involved and how these influence each other.

The Master's graduate knows who the actors of the international business law environment are and how they interact with each other, while acknowledging legal and cultural differences.

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The Master's graduate possesses analytical skills to apply acquired knowledge and insights to concrete problems in the area of IBL.

The Master's graduate 'translates' practical problems into legally manageable problems.

The Master's graduate can analyse and assess scholarly literature, case law and legal and policy documents and critically reflect upon them.

The Master's graduate shows evidence of an independent, critical attitude with regard to existing theories and knowledge.

The Master's graduate possesses the necessary knowledge of research methodologies in international law and the necessary research skills to independently prepare and carry out a jurisprudential study of some size.

The Master's graduate can critically assess the value of research findings, draw conclusions from them and relate research results to theoretical debates within the domain and adjust them when necessary.

The Master's graduate should be able to analyse complex issues in relation to international business and make useful legal recommendations. A Master's graduate can formulate an independent and well-substantiated opinion on complex legal issues and take a substantiated position within the existing debates on various international business law topics.

The Master's graduate should have the ability to present orally and/or in writing the setup, research methodology, theoretical foundations and findings of their research to both experts and non-experts. The Master's graduate has a good command of English legal terms which are used within



international business law.

The Master's graduate has a self-critical attitude that enables them to independently acquire new knowledge and to improve their analytical, research and communicative skills.

## Private International Law

<b>Course code</b>	R_PrivInt ()
<b>Period</b>	Period 4
<b>Credits</b>	6.0
<b>Language of tuition</b>	English
<b>Faculty</b>	Faculteit der Rechtsgeleerdheid
<b>Coordinator</b>	mr. M. Zilinsky
<b>Examinator</b>	mr. M. Zilinsky
<b>Teaching method(s)</b>	Tutorial
<b>Level</b>	400

### Course objective

The main goal of this course is to equip students with the knowledge and skills to apply private international law rules in international commercial trade practice.

### Course content

This course deals with aspects of private international law that may be relevant whenever cross-border commercial disputes are to be resolved. Students will first be familiarized with general principles of private international law. Subsequently, they will be introduced to how to resolve the question of jurisdiction in international contracts, and how parties to a contract may prevent themselves from being sued in a foreign jurisdiction. The course further deals with issues of choice of law. In particular, it will examine which law governs an international commercial contract, having regard to the rules of the Rome I Regulation. Issues regarding recognition and enforcement of foreign court judgments and legal issues regarding insolvency conclude the topics that are focused on in this course.

### Form of tuition

Lectures

### Type of assessment

One written examination and one paper

### Course reading

To be announced on Blackboard

### Target group

Apart from regular students, the course is also available for:  
Students from other universities/faculties  
Exchange students  
Contractor (students who pay for one course)

## Research Seminar - International Business Law

<b>Course code</b>	R_RSIBL ()
<b>Period</b>	Period 1
<b>Credits</b>	6.0
<b>Language of tuition</b>	English
<b>Faculty</b>	Faculteit der Rechtsgeleerdheid
<b>Coordinator</b>	mr. F.M. Gilligan
<b>Examinator</b>	mr. F.M. Gilligan
<b>Teaching staff</b>	dr. H.M.G. Denters, mr. F.M. Gilligan, prof. dr. M.R.F. Senftleben
<b>Teaching method(s)</b>	Seminar
<b>Level</b>	500

### Course objective

Students attending this course will be able to:

1. Recognize and apply different methodologies and methods in law, with application to the field of international business law
2. (Critically) read and analyse law and scholarly legal writings
3. Differentiate between authoritative and non-authoritative sources
4. Use critical analysis in their own writings
5. Identify a research area of interest, a research topic / problem in that area and possible legal research question(s)
6. Explain the significance, background, objectives and rationale of the research topic
7. Identify and apply the relevant methodology and method(s) most suitable to the research question and sub-questions
8. Write a research proposal in preparation to the master thesis
9. Present skilfully in front of an audience written academic work

### Course content

The course is designed around the central objective of this course, i.e. to prepare the students for academic level of reading, writing and oral presentations suitable for a master's level. The course has a double mandate:

A theoretical part: to teach students the relevant legal methodologies and methods applicable in the field of international business law as taught in the programme

A practical part: to refine the students' academic skills with reference to (critical) reading (law and scholarly work), writing (essays, problem questions and dissertations) and oral presentation skills in preparation for the master thesis

### Type of assessment

Presentation, assignment and research proposal following a template.

### Course reading

The reading materials will be provided via Blackboard.

### Remarks

#### OBJECTIVES

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