International Business Law  
BLAW 509 Sec. 1  
Spring 2019  
TR 4-5:15  
Beatty 214  
Dr. Roxane DeLaurell

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Office hours: MW 11-1 and TR 12-1:30 or by appt. I am always reachable by e mail and anytime I am in my office students are encouraged to stop by.

Recommended reading: Any good news outlet with international coverage. E.g. The Economist, Financial Times, Wall Street Journal, Guardian, etc...

Course Objectives:

This course will give the student a basic overview of the regulatory framework of international business with special emphasis on issues impacting the accounting profession. This will involve: examining the applicable law of the United States as it affects cross border business; analysis of the power and use of jurisdiction; a review of the world business structure (existing international organizations); distinguishing private and public international law issues; and accountant specific issues such as adoption of IFRS, legal status of IASB, international nature of the Big 4, regulation of services cross border and issues of big data cross border. The student should acquire the ability to recognize international business issues in planning all phases of the business enterprise and will have the ability to access publicly available sources of information on such issues.

Learning Goals of MACC:

1. Achieves a Broadened Perspective: Global view  
2. Acquires Specialized Technical Skills and Knowledge: international knowledge  
3. Demonstrates Effective Communication: presentations and papers  
4. Understands the Implications and Importance of Ethical Behavior: issue review  
5. Understands Global Dimensions of their Intended Area of Practice: course focus

Learning Goals for SOB:
COMMUNICATION SKILLS: Students will demonstrate the ability, via both written and spoken word, to effectively present, critique, and defend ideas in a cogent, persuasive manner.

GLOBAL AND CIVIC RESPONSIBILITY: Students will be able to identify and define social, ethical, environmental and economic challenges at local, national and international levels. Students will also be able to integrate knowledge and skills in addressing these issues.

INTELLECTUAL INNOVATION AND CREATIVITY: Students will be able to demonstrate their resourcefulness and originality in addressing extemporaneous problems.

SYNTHESIS: Students will demonstrate the ability to integrate knowledge from multiple disciplines incorporating learning from both classroom and non-classroom settings in the completion of complex and comprehensive tasks.

HONOR CODE:

Lying, cheating, attempted cheating, and plagiarism are violations of our Honor Code that, when identified, are investigated. Each incident will be examined to determine the degree of deception involved.

Incidents where the instructor determines the student’s actions are related more to a misunderstanding will handled by the instructor. A written intervention designed to help prevent the student from repeating the error will be given to the student. The intervention, submitted by form and signed by both the instructor and the student, will be forwarded to the Dean of Students and placed in the student's file.

Cases of suspected academic dishonesty will be reported directly by the instructor and/or others having knowledge of the incident to the Dean of Students. A student found responsible by the Honor Board for academic dishonesty will receive a XF in the course, indicating failure of the course due to academic dishonesty. This grade will appear on the student’s transcript for two years after which the student may petition for the X to be expunged. The student may also be placed on disciplinary probation, suspended (temporary removal) or expelled (permanent removal) from the College by the Honor Board.

Students should be aware that unauthorized collaboration—working together without permission—is a form of cheating. Unless the instructor specifies that students can work together on an assignment, quiz and/or test, no collaboration during the completion of the assignment is permitted. Other forms of cheating include possessing or using an unauthorized study aid (which could include accessing information stored on a cell phone), copying from others’ exams, fabricating data, and giving unauthorized assistance.
Research conducted and/or papers written for other classes cannot be used in whole or in part for any assignment in this class without obtaining prior permission from the instructor.

Students can find the complete Honor Code and all related processes in the Student Handbook at [http://www.cofc.edu/generaldocuments/handbook.pdf](http://www.cofc.edu/generaldocuments/handbook.pdf)

**Grading:**

Final grade is composed of:

- Issue papers  50%
- Presentation  30%
- Daily Briefing  20%

Grading Scale: A= 90+, B+ = 87-89, B=80-86,  
C+=77-79, C= 70-76, F= Below 70

**Papers:**

The student will turn in **three** issue papers during the semester. The issue papers should be **no longer than 7 pages** each, double-spaced with a list of works cited, and turned in on the day the issue is discussed (see schedule below). A grade penalty will be assessed for late work. Issue papers will be graded on form and substance. Correct grammar, good sentence structure and readability are all required. Research and independent analysis will comprise the substance portion of the grade. The student must demonstrate individual thought about the topic and an effort to develop the issue fully through background research and application of principles learned in class. **A rubric will be provided and posted to oaks.**

The scores of the three papers will be averaged to yield 50% of the final grade.

**Daily Briefing:**

Each class session will begin with a discussion of the news of the day dealing with international business law. Each student will be required to discuss five articles during the course of the semester; no written work is required for daily briefing. The instructor will keep a tally of articles presented. **The instructor**
reserves the right to disallow an article if it is not relevant to the class material or the topic. Only one article per class is allowed. The instructor will facilitate discussion. These articles must help the class better understand the principles set out in lecture, the nature of international business and the role that accountants play in that arena. The student will be given full credit for this component of their final grade provided the instructor credits them with five articles and they participate in daily briefing discussions throughout the semester. Daily briefing counts for 20% of the student's final grade.

**Presentation:**

Students will be assigned one issue for presentation to the class. This issue may also be one for which the student turns in an issue paper. The presentation will be graded on **substance** (providing the necessary background material, accurately identifying the central issue and comprehension of the subject matter) and **form** (the logical flow of the presentation, the skill in presenting, the level of student engagement in the discussion, the creativity shown and the use of technology). The presentation will count 30% of the student's final grade. **A rubric will be provided.**

**General guidelines and policies:**

This is a graduate seminar so I expect you to read the assigned issues and power points, come to class regularly and participate in discussions. I will post power point slides of the lectures and provide links to articles on oaks. When in class I expect you to be respectful of others and the forum and comport yourselves as professionals. Towards this end please manage your electronics responsibly during class and if you **must** leave class during a lecture or presentation please do so quietly and without disturbing others. Please remember that leaving class is disruptive to the speaker(s).

Students as well as the professor have an expectation of privacy and a property interest in class presentations and discussions so no recording (video or audio) of any kind or taking photos is allowed during class without obtaining permission from all necessary parties.

I do not give extra credit. The best way to avoid the need for extra credit is to complete the assignments on time (**penalties will be assessed for late work**), attend class, bring articles, and participate.
At all times students are expected to honor the College of Charleston Honor Code. Again, this is a graduate class and you are professionals: I expect you to behave in that manner.

Should the student need help in writing or oral presentations please consult the Writing and Speaking Labs located in the Center for Student Learning on the first floor of Addlestone library.

If a student anticipates needing special accommodation of any kind during the semester they must inform the professor as soon as possible. SNAP students must bring proper documentation to class during the first week.

**Schedule of Events:**

**Jan.8:** Introduction to Course.

**Jan.10:** Finalize presentation assignments.
Lecture: Introduction to the Law of International Business

**Jan.15:** Lecture: Introduction to the Law of International Business

**Jan.17:** Lecture: Introduction to the Law of International Business

**Jan.22:** Lecture: Jurisdiction

**Jan.24:** Lecture: Jurisdiction

**Jan.29:** Lecture: International Law and World Systems

**Jan.31:** Lecture: International Law and World Systems

**Feb.5:** Lecture: International Contracts

**Feb.7:** Lecture: International Dispute Resolution

**Feb.12:** Lecture: International IP

**Feb.14:** Lecture: Big Data and Accountant Responsibility

**Feb.19:** Issue 1: __________

**Feb.21:** Issue 2: __________

**Feb.26:** Issue 3: __________
Feb.28: Issue 4:____________________________

Mar.5: Issue 5:____________________________

Mar.7: Issue 6:____________________________

Mar.12: Issue 7:____________________________

Mar.14: Issue 8:____________________________

Mar.18-24: SPRING BREAK

Mar.26: Issue 9:____________________________

Mar.28: Issue 10:____________________________

Apr.2: Issue 11:____________________________

Apr.4: Issue 12:____________________________

Apr.9: Issue 13:____________________________

Apr.11: Issue 14:____________________________

Apr.16: Issue 15:____________________________

Apr.18: Issue 16:____________________________

Apr.23: Last class Overflow if needed otherwise no class session.

Issue Papers are due at 4:00 pm on the day we discuss them in class. Late work will be penalized.
The professor reserves the right to modify this syllabus as needed.

Issue 1: **Application of jurisdiction principles: the Julian Assange Case** (Apply the international jurisdictional principles to the facts of this case and offer a resolution to this situation)


Issue 2: **Jurisdiction principles applied to Big 4**. (Present a summary of this article and how it applies the jurisdictional principles to the Big 4: Who has authority over the Big 4?)


Issue 3: **International Law in the US: Status Report** (Present a summary of this report on IL in the US: Explain how you think this impacts business especially accountants)

[https://fas.org/sgp/crs/misc/RL32528.pdf](https://fas.org/sgp/crs/misc/RL32528.pdf)

Issue 4: **Legitimate authority of IASB and IFRS: Politics or Business ?** (Present a summary of the article and explain how/why you agree or disagree)


Issue 5: **IASB and IFRS: Creating International Law** (Present a summary of the article and explain how/why you agree or disagree)

Issue 6: **Global IP: Role of Transfer Pricing Starbucks, Amazon and McDonalds.**
(Present a summary of the article and advise accountants on how to proceed in this area)

Analysis of intellectual Property tax planning Strategies of multinationals and the impact of the BEPS project, by Ranjana Gupta Australian Tax Reform vol 33 pp. 1-36 (2018). At CoF at the following link or by searching author and date under Business Source Complete.

Issue 7: **Foreign Corrupt Practices Act: Role of Accountants** (Present a summary of the excerpted article and advise accountants on how to proceed in light of recent FCPA enforcement: identify at least two recent FCPA actions)
Read pps. 10-45 only.


Issue 8: **GDPR: What is it and how does it apply to accountants?** (Read the summary of legislation link on the left side of the home page of the regulation itself and provide a summary. Advise accountants on how to proceed)


Issue 9: **Offshore Income and its impact on corporate behavior: Identify problem areas** (Read the links below and describe the opportunities that business takes. Explain how this behavior will be impacted due to US adoption of territoriality principle for taxation)

http://fortune.com/2015/10/22/uber-tax-shell/

http://fas.org/sgp/crs/misc/R43568.pdf
Issue 10: **Global Corporate Responsibility: How should MNCs behave when they are in someone else’s neighborhood? Who should hold them accountable?**
(Describe the current scandal in Malaysia involving Goldman Sachs: applying jurisdictional principles give your opinion on the likelihood that Malaysia will successfully criminally prosecute Goldman Sachs)


https://www.reuters.com/article/us-malaysia-politics-1mdb-goldman/malaysia-seeks-75-billion-in-reparations-from-goldman-sachs-ft-idUSKCN1OK0GU

https://www.wsj.com/articles/malaysia-files-criminal-charges-against-goldman-sachs-11545035899

Issue 11: **Data Localization Rules: India, Russia and China** (Present a summary of the rules and explain their impact on business notably on accounting services)


Issue 12: **International Copyright Protection.** (Present a summary of the case: Do you agree with the case, why or why not? What are its business ramifications?)

http://www.supremecourt.gov/opinions/12pdf/11-697_4g15.pdf

Issue 13: **International Patent Infringement.** (Summarize international patent protection: update the case of Apple v. Qualcomm. What is your best guess as to the outcome?)

Issue 14: Brexit’s Impact on Accounting (Summarize current Brexit situation and explain how that will impact accounting especially audit reform)


https://www.aatcomment.org.uk/how-brexit-will-affect-accountants/

Issue 15: International Antitrust (Summarize EU antitrust law and explain Google 5 billion dollar fine. do you agree or disagree?)

http://ec.europa.eu/competition/antitrust/overview_en.html


Issue 16: AI and Accounting. (Define AI and describe its potential impact on accounting. Apply international principles to offer conclusions on what the impact will be on international accounting)