BLAW 309: The Legal Environment of International Business

Fall 2020 Syllabus

COURSE INFORMATION

Credit Hours: 3

Course Overview: The Legal Environment of International Business course explores the regulatory framework governing international business transactions. Topics include the law governing the international sale of goods, trade finance, multimodal transportation, import/export procedures, international dispute resolution, and the role of international organizations in commercial regulation.

Course Catalog: For more information on the business law curriculum at the College of Charleston School of Business, see the course catalogue here: http://catalog.cofc.edu/

Program Objectives: For information on the School of Business mission and learning goals, click here: http://sb.cofc.edu/officeofthedean/facultyresources/mission.php

Course Prerequisites: BLAW 205: The Legal Environment of Business or its equivalent.

Course Location and Time: Due to COVID-19, this course will be delivered entirely online. It is possible that there will be live voluntary Q&A sessions during the term, but this will depend on evolving CofC policy.

FACULTY INFORMATION

Professor: Richard L. Kilpatrick, Jr.

Office Location: JC Long Building 311

Office Hours: By appointment via Zoom

Phone: (843) 953-3374

Email: kilpatrickrl@cofc.edu


COURSE MATERIALS

Schaffer, Agusti, and Dhooge, INTERNATIONAL BUSINESS LAW AND ITS ENVIRONMENT, Cengage 10th edition

Lecture notes, Voice Threads, activities, model answers, and other materials posted on Oaks.

INSTRUCTIONAL METHODS/ GRADE CRITERIA

This course will be delivered online via the Oaks platform. It will utilize textbook and case readings, lecture notes, Voice Threads, activities with model answers, and discussion board posts. Live Zoom meetings, and (possibly) in-person Q&A sessions may also be incorporated to supplement the material.

Student grades for the course are determined by performance on 3 online quizzes, 3 case summary discussion board posts, and 3 online exams (including the final exam).

Case Summary Discussion Board Posts

The 3 case summary discussion posts are cumulatively worth 20% of the final grade. Instructions for the case summary discussion board post will be posted on Oaks.

Quizzes

The 3 quizzes are cumulatively worth 20% of the final grade. Quizzes use a combination of multiple choice, matching, or other objective assessment formats.

Exams

The 3 exams are cumulatively worth 60% of the final grade. Exams use a combination of multiple-choice and short discussion formats. The final exam is not cumulative—it covers the material from Part III of the course.
COURSE POLICIES

Exam Dates

Exam dates are listed below in the course outline. Students must take exams on the dates and times they are scheduled. A student who does not take an exam on the date and time it is scheduled will receive a “zero” for that exam. Make up exams are not available. The sole exception is an extraordinary and legitimate emergency as determined by the Professor’s discretion. In such circumstances, the emergency must be properly documented and the student must inform the Professor immediately. The circumstances are analyzed on a case-by-case basis by the Professor with possible consultation of the Department Chair or other administrator. Legitimate emergencies do not include employment obligations, schedule conflicts, minor illnesses, or other similar circumstances.

Internet Access

Consistent internet access is required to complete this course.

Attendance

There is no attendance record for this course.

Extra Credit

There is no extra credit for this course (please don’t ask).
CofC Honor Code and Academic Integrity Statement

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 both by 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 via a cell phone or computer), 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://studentaffairs.cofc.edu/honorsystem/studenthandbook/index.php

Reasonable Accommodation Statement:

The College of Charleston abides by section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act. If you have a documented disability that may have some impact on your work in this class and for which you may require accommodations, please see an administrator at the Center of Disability Services/SNAP (843) 953-1431.

Syllabus Amendments

The policies and information contained in this syllabus are subject to amendment at the sole discretion of the Professor. Any amendments will be communicated to students during class and/or on Oaks.
TENTATIVE COURSE OUTLINE

Part I: The Legal Environment of International Business

Week 1: August 24 – August 28

Forms and Risk in International Business (2-24)
   Dayan (9)
   In Re Union Carbide Corporation Gas Plant Disaster at Bhopal (13)
   Transatlantic Financing Corporation (16)
   Gaskin (17)
   Bernina Distributors (19)

Week 2: August 31 – September 4

Sources of International Law and the World’s Legal Systems (29-41)
   The Paquette Habana (33)
   Sosa (34)
   Campbell (40)

Week 3: September 7 – September 11

Sources of International Law and the World’s Legal Systems (41-52)
   M. Aslam Khaki (51)

*Quiz 1

Week 4: September 14 – September 18

International Dispute Resolution (57-73)
   Scherk (61)
   Asahi Metal (63)
   Elayyan (66)
   Fallbawie (71)

Week 5: September 21 - 25

International Dispute Resolution (73-80)
   Bremen (73)
   Finnish Furs (76)

*Exam 1
Part II: International Sales, Trade Finance, and Transportation

Week 6: September 28 – October 2

International Sales of Goods (86-114)

- It's Intoxicating (91)
- Solae (99)
- Chicago Prime Packers (106)
- Tandrin Aviation Holdings (113)

Week 7: October 12 – October 16

International Sales of Goods (120-144)

- Banque de Depots (125)
- Ample Bright Development (126)
- Biddel Brothers (130)
- Basse and Selve (132)
- Cedar Petrochemicals (140)
- Kumar Corp (143)

Week 8: October 19– October 23

Maritime and Multimodal Transport Law (149-168)

- El Al Israel Airlines (151)
- Olympic Airways (153)
- J. Gerber & Co. (163)
- Z.K. Marine (165)
- Prima U.S. (167)

Week 9: October 26 – October 30

Maritime and Multimodal Transport Law (168-174)

- Shaver Transportation Co. (172)
- Norfolk Southern v. Kirby (Oaks only)
- COSCO Bulk Carrier v Team-Up Owning (M/V Saldanha) (Oaks only)
- Osmium Shipping v. Cargill International (Captain Stefanos) (Oaks only)

*Quiz 2

Week 10: November 2 – November 6 (Election Day)

Trade Finance (179-203)

- Maurice O’Meara Co. (189)
- Courtaulds North America (194)
- Sztejn (198)
- Semetex Corp. (199)

*Exam 2
Part III: International Trade Law

Week 11: November 9 – November 13

The World Trade Organization (233-254)
  European Economic Community – Import Regime for Bananas (239)
  Japan – Taxes on Alcoholic Beverages (242)
  India – Agricultural, Textile, & Industrial Products (245)
  European Economic Community – Bananas [Appellate] (250)

Week 12: November 16 – November 20

Imports, Customs, and Tariffs (308-337)
  Otter Products (313)
  Carl Zeiss (314)
  Better Home Plastics (316)
  Ferrostaall Metals (321)
  Nissan Motor Mfg Corp (326)
  Golden Ship Trading (331)

*Quiz 3

Week 13: November 23 – November 27 (Thanksgiving)

Trade Remedies (284-303)
  Argentina – Safeguard Measures on Imports of Footwear (286)
  Heavyweight Motorcycles & Engines (288)
  Pesquera Mares Australes (292)
  Bulk Aspirin (295)
  European Steel (300)

Week 14: November 30 – December 4

Export Controls and Trade Sanctions (341-360)
  U.S. v. Mandel (345)
  Briggs & Stratton. Corp (352)
  U.S. v. Zhi Yong Guo
  U.S. v. Monsavi (357)
  Lemesa Investments v. Cynergy Bank Ltd (Oaks only)
  Mamancochet Mining Ltd v. Aegis Managing Agency Ltd (Oaks only)

Final Exam Period: December 8 – December 14

The dates for final exams are assigned by CofC. See the following link for the exam schedule: