# Law for International Business

## Prof. Flavio Rocchio

***COURSE AIMS AND INTENDED LEARNING OUTCOMES***

***Course aims***

After introducing the most useful tools of the general theory for the understanding of private law institutions, the course aims to carry out a general analysis of the laws governing contracts, especially those for the international and national sale of goods, from credit assignment in general and, in particular, the factoring of receivables, also according to international law, highlighting their rational origins and operational potential.

This is an advanced private law course, in which the main topics of the Italian private law will be examined from the point of view of their international implications, with a focus on the Vienna Convention of 11 April 1980 on contracts for the international sale of goods, the Ottawa Convention of 26 May 1988 on international factoring and the Ottawa Convention of 26 May 1988 on international leasing.

***Intended learning outcomes***

Knowledge and understanding

At the end of the course, students will be able to do the following, *from an* *international perspective*:

- understand the conflict cases typical of private law;

- identify and distinguish the different legal situations and their forms of protection.

Ability to apply knowledge and understanding

At the end of the course, students will be able to, *from an international perspective*:

- interpret a text of private law;

- resolve concrete cases of potential and current conflict on the same matter;

- plan the best safeguarding and protection of legal situations.

***COURSE CONTENT***

– General theory premises: brief overview of the sources of private law; legal action and legal fact; subjective positions; judicial protection of rights, prescription and forfeiture.

– The contract in general.

– The sale.

– The international sale of movable assets (goods).

– Credit transfer, national and international factoring.

– National and international leasing.

***READING LIST***

- A. Liserre-F. Rocchio, *Lezioni di diritto privato*, Giuffrè, Milan, 2017, 4th ed, (with reference to to following paragraphs: from 1 to 6, 20, 21, from 25 to 39, 40.2 and 40.3 (subparagraphs 1 and 4). In any case, the section ‘Approfondimenti’ must be studied.)

- Material available on Blackboard.

***TEACHING METHOD***

Classroom lectures.

***ASSESSMENT METHOD AND CRITERIA***

Oral exam consists of three questions, each worth a maximum score of 6 points, which will decrease according to the accuracy level of the answer (from 30/30 to 24/30 and from 24/30 to 18/30). In any case, if students fail to answer the first two questions, they will not pass the exam. Generic or off the subject answers are also considered failed answers. The first two will be open questions on a chapter or paragraph of the textbook. The third question will concern a practical case for which students are expected to provide a reasoned solution.

Assessment will be based on the following criteria: relevance of answers, appropriate use of legal terminology and, above all, ability to identify concrete application of knowledge acquired.

***NOTES AND PREREQUISITES***

To attend the course, students are expected to have adequate knowledge of the institutions covered by the course, of the Constitution, of the Civil Code and the laws that integrate it as well as the Vienna Convention of 11 April 1980 on international sale of movable assets and the Ottawa Convention of 26 May 1988 on international leasing.

There are no specific prerequisites for the course.

Further information can be found on the lecturer's webpage at http://docenti.unicatt.it/web/searchByName.do?language=ENG or on the Faculty notice board.