Principles of Private Law (Elements of Commercial Law)

Prof. Flavio Rocchio

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

The course, which will begin by outlining general theory fundamental to understanding the principles of private law, aims to examine the codes regarding legal persons (with reference to entrepreneur status and corporate legislation), real rights, ownership and rights on intangible assets (with reference to corporate regulations), contracts in general and civil liability (with reference to competition rules), highlighting their rationale and scope of application.

***Intended learning outcomes***

Knowledge and understanding

At the end of the course, students will be able to:

- understand the typical conflict situations 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:

- interpret legal texts in the field of private law;

- solve potential and actual conflict situations in the field of private law;

- plan the best solutions to monitor and protect legal situations.

***COURSE CONTENT***

* General theory premises: overview of the sources of private law; legal acts and facts; subjective situations; jurisdictional protection of rights.
* Natural persons and their capacity. Corporations and non-corporations. The entrepreneur.
* Real rights: ownership and *jus in re aliena*. Possession. Rights on intangible assets and the company.
* Obligations in general and performance guarantees. Bankruptcy.
* Contracts in general.
* Torts: unjustified harm that can be compensated. Competition.
* The other sources of obligation.
* Overview of the movement of goods.

***READING LIST***

A. Liserre-F. Rocchio, *Lezioni di diritto privato*, Giuffrè, Milan, 2017, 4th ed. (excluding the special parts related to *I contratti tipici*, *Le successioni*, *La famiglia*). The sections under the title *Approfondimento* must be excluded.

***TEACHING METHOD***

Lectures in the lecture room.

***ASSESSMENT METHOD AND CRITERIA***

Oral assessment, consisting of three questions of 4 points each (according to the accuracy of the answer). Students who can’t answer the first two questions will automatically fail the exam. Giving inaccurate answers will be considered in the same way as giving no answer. The first two questions will be based on a chapter or a paragraph taken from the textbook. The third question, instead, will be on a real case to which students are expected to find a solution.

***NOTES AND PREREQUISITES***

There are no prerequisites for attending the course. However, a good knowledge of the Constitution and the Civil Code is fundamental to get the most out of this course.

A solid knowledge of the Constitution, the Civil Code and associated laws in relation to the subjects covered by the course is essential.

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.