# Paris LLM

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Important Notes

Not all of the modules listed may be available in any one year. Those modules running are confirmed at the beginning of the semester when minimum student numbers have been ascertained. Module teachers, teaching dates and times may be subject to change (CCLS will work to ensure students are notified of any changes as soon as possible). Please further note that timetabling restrictions can sometimes prevent the choice of certain combinations of modules.

This list is correct as at 20th August 2019 and is subject to change until printed for Induction.

LLM in Paris

180 credits must be completed for the LLM. A 12,000-word dissertation is a compulsory component of the Programme and counts as 45 credits. Please select sufficient taught modules to reach 180 credits in total.

In order to receive an LLM specialism, a minimum of 90 taught programme credits need to be chosen from the specialist field. The 45-credit dissertation must also be within the specialist field. You are free to choose from all of the modules on offer in Paris for the remaining 45 credits necessary to attain the overall 180 credits.
Cloud Computing Law

Module Code / Credit Value
CCLP604/ 15 credits

Module Description
This module will provide a foundation for understanding and analysing cloud computing structures and contracts for private and public sector cloud services, including standard terms and contract negotiations; the application of data protection law to the storage and other processing of information in cloud environments, including what is regulated, who is responsible, which laws apply and the circumstances in which law enforcement authorities access information; and the subsistence and ownership of proprietary rights in data stored, processed and generated in cloud environments.

Outline Syllabus
- Introduction to cloud computing technologies and the issue of jurisdiction in cloud
- Standard and negotiated cloud computing service contracts
- Data protection laws and their application in cloud computing
- Competition law issues in cloud computing
- Law enforcement access to data in clouds
- Intellectual property issues in cloud computing
- Consumer protection models applicable to clouds
- Cloud governance models, self-regulation and co-regulation

Applicable Specialisms
- LLM in International Business Law
- LLM in Technology, Media & Telecommunications Law

Mode of Assessment
One 2hr15mins written examination

Module Convenor(s)
- Niamh Gleeson

Mode of Delivery
Evening classes and Saturday daytime classes

Teaching Dates
Friday 15th November 2019
Saturday 16th November 2019
Friday 6th December 2019
Saturday 7th December 2019
Corporate Rescue and Cross-border Insolvency

Module Code / Credit Value
CCLP013 / 15 credits

Module Description
The course is premised upon the notion that the student of insolvency law ought to develop a sound understanding of the dynamics of insolvency and debt restructuring, including available options, methods and techniques in the light of regulatory theories, applicable legal framework, shareholders capitalism and public policy objectives. The course will provide a critical and insightful view of current international legal developments and trends with the aim of identifying the most salient legal issues involved in insolvency and debt restructuring in the context of an increasingly complex financial phenomena and global markets.

The module would enable students to identify common aspects in the dynamics, techniques and mechanisms to deal with distress scenarios and discover innovative trends in a continuously developing area. It will provide students with an introduction and basis for the understanding of the developments in reorganization, restructuring, debt-write-offs, debt-equity swaps, and debt conversion/extinction. In other words, methods and techniques to deal with the broad spectrum of restructuring from a legal, economic and policy point of view. The course will also provide strong legal analytical skills.

Outline Syllabus
- Introduction to Insolvency
- Principles of Insolvency Law
- Avoidance of Transactions, Wrongful Trading and Directors' Duties
- An introduction to US Insolvency Law, UNCITRAL and Other International Initiatives
- Corporate Rescue Procedures
- Liquidation and Receiverships
- The Wind Hellas Case Study
- EU Insolvency Regulation

Applicable Specialisms
- LLM in International Business Law
- LLM in Banking & Finance Law

Mode of Assessment
One 2hr15mins written examination

Module Convenor(s)
- Professor Rodrigo Olivares-Caminal
  https://www.qmul.ac.uk/law/staff/rodrigoolivarescaminal.html

Mode of Delivery
Daytime classes taught over 4 days

Teaching Dates
Monday 8th June 2020
Tuesday 9th June 2020
Monday 15th June 2020
Tuesday 16th June 2020
E-Commerce Transactions

Module Code / Credit Value
CCLP219/ 15 credits

Module Description
This module investigates the difficulties posed by the problem of creating legally effective e-commerce transactions in a complex cross-border legal environment and potential solutions to those difficulties. It focuses on how e-commerce businesses are constrained to undertake and structure their online activities, and on how legal creativity might be used to reduce or eliminate legal uncertainties.

Outline Syllabus
- Contracting Online
- Identity and Security
- Electronic Signatures
- Consumer Protection
- E-commerce Marketplaces

Applicable Specialisms
- LLM in International Business Law
- LLM in Technology, Media & Telecommunications Law

Mode of Assessment
24-hour Final Assessment Exercise

Module Convenor(s)
- Dr Laura Edgar
  https://www.qmul.ac.uk/ccls/staff/edgar.html

Mode of Delivery
Evening classes and Saturday daytime classes

Teaching Dates
Friday 18th October 2019
Saturday 19th October 2019
Friday 8th November 2019
Saturday 9th November 2019
Energy and Climate Change

Module Code / Credit Value
CCLP160 / 15 credits

Module Description
This module will look at the international legal regime relating to climate change and consider how this will directly impact the energy sector. There is a fundamental shift in the energy industry away from fossil fuels (non renewable sources) to clean energy (renewable sources). This transition and how it will take place over the coming years will be discussed. The transition fuel being identified by the International Energy Agency as the lowest carbon is gas. This will impact on the unconventional and LNG sector during this important transition. Traditional oil and gas companies including for example BP, Total and Shell will have to change their business model in line with new regulation. This module will also consider emissions trading and its effectiveness, the NDC (nationally determined commitments of states to achieve climate change goals. In addition it will consider the polluter pays principle as well as the growing number of climate change disputes and consider how these might impact future energy regulation, international and national. The focus is climate change exclusively from the perspective of the energy sector.

Outline Syllabus
- Introduction to climate change, IPCC Reports IGO/NGOs
- NDCs (Nationally Determined Contributions) Article 4 paragraph 2 Paris Agreement; obligations
- International legal regime relating to climate change
- Regional and national initiatives; from ROCs to CfD
- Emissions trading
- Energy transition - from here to 2050
- Polluter pays principle and the energy sectors
- Climate change disputes - private and state related litigation/ arbitration; implications for the oil and gas industry (IOCs). Banks may stop lending to oil and gas projects & insurance market refuse pollution cover
- ECT and climate change
- Implications on future energy regulation of climate change disputes

Applicable Specialisms
- LLM in International Business Law
- LLM in Energy and Natural Resources Law

Mode of Assessment
One 4000 word essay

Module Convenor(s)
Norah Gallagher
https://www.qmul.ac.uk/law/staff/gallagher.html

Mode of Delivery
Daytime classes taught over 4 days
Teaching Dates
Monday 28th October 2019
Tuesday 29th October 2019
Thursday 7th November 2019
Friday 8th November 2019
English Contract Law

Module Code / Credit Value
CCLP601 / 30 credits

Module Description
The module will cover the English law of contract, including the rules governing the formation, construction and interpretation of contracts (including the incorporation and implication of terms), the circumstances where contracts may be deemed to be vitiated, as well as the available remedies for breach of contract. This module will also give students insight into the workings of the common law.

The module will examine English Contract law with a particular focus on commercial contracts. The module aim is for students to familiarise with concepts, principles, doctrines and rules of English law governing commercial contracts and provide them with sound legal knowledge of all such aspects, thus enabling them, by the end of the module, to formulate concrete arguments and opinions on the various aspects and complex doctrines involved. In practical terms the module will furnish students with an understanding of how the law applies in the day-to-day operation of the commerce and with the ability to evaluate the law critically.

Outline Syllabus
- Introduction and Background
- Formation and Variation of Contracts
- Mistake and Rectification
- Misrepresentation
- Duress and Undue Influence
- Illegality
- Express and Implied Contractual Terms and Their Interpretation
- Incorporation of Terms
- Unfair Contract Terms
- Breach of Contract and Termination
- Remedies of Breach of Contract
- Frustration
- Sum Up and Exam Revision

Applicable Specialisms
- LLM in International Business Law

Mode of Assessment
One 3hr15mins written examination

Module Convenor(s)
- Professor Lord Hoffmann  http://www.law.qmul.ac.uk/staff/hoffmann.html
- Sir Richard Aikens  http://www.brickcourt.co.uk/people/profile/sir-richard-aikens
- Dr Miriam Goldby  http://www.law.qmul.ac.uk/staff/goldby.html

Mode of Delivery
Evening classes and Saturday daytime classes

Teaching Dates
Wednesday 29th January 2020
Thursday 30th January 2020
Friday 31st January 2020
Saturday 1st February 2020
Friday 14th February 2020
Saturday 15th February 2020
Monday 17th February 2020
Friday 27th March 2020
Saturday 28th March 2020
Ethics and Governance in Business and Finance

Module Code / Credit Value
CCLP011/ 15 credits

Module Description
The module on "Ethics and governance in business and finance" analyses unethical practices arising in business and in the financial sector and links them with corresponding corporate governance problems. The module then provides a critical evaluation of the relevant UK and EU regulatory and supervisory frameworks which strive to address them. Reference to international standards and US law is made where relevant. Thorough consideration is also given to Corporate Social Responsibility and Responsible Investment.

The module aims at providing students with an understanding of the ethical problems which riddle the conduct of business of both financial and non-financial corporations. Given the persistence and apparent resilience of unethical conduct, it is a pedagogical imperative to educate future generations on the matter.

Outline Syllabus
- Short termism
- Market manipulation
- Executive compensation
- Corporate governance: theories and issues
- Bribes and facilitation of payments
- Corporate social responsibility
- Sustainable reporting
- Responsible investing and social impact bonds

Applicable Specialisms
- LLM in International Business Law
- LLM in Banking and Finance Law

Mode of Assessment
One 2hr15mins written examination

Module Convenor(s)
- Dr Costanza Russo
  http://www.law.qmul.ac.uk/staff/russo.html

Mode of Delivery
Evening classes and Saturday daytime.

Teaching Dates
Saturday 5th October 2019
Tuesday 12th November 2019
Saturday 16th November 2019
Thursday 21st November 2019
Friday 22nd November 2019
EU and US Design Law

Module Code / Credit Value
CCLP081 / 15 credits

Module Description
Design rights are exclusive rights granted for the protection of a design that offers a new and individual appearance. This module deals with the rationales for and process of obtaining and enforcing design protection under the provisions of the European and US statutes, including infringement, defences, revocation and remedies. The module will:

• Provide students with a sound understanding of the rationales and essential principles of European and US design law, providing a foundation and context for intellectual property law and practice;
• Provide students with a detailed understanding of the laws on European design protection, registered and unregistered, focusing in particular on the Community Design Regulation 6/2002;
• Provide students with a comparative understanding of the US laws on design protection, concentrating on US Design Patents and copyright;
• Provide students with an overview of the overlaps of copyright, registered design and trade mark/trade dress protection in Europe and the US;
• Illustrate these lessons with brief examinations of the fashion and automotive sectors, and a one-hour moot.

Outline Syllabus
• The legal rationale and socio-economic history of design registration
• A detailed analysis and study of the EU Community Design law
• A comparative analysis of US design patent law
• A case study which illustrates the differences between registered design laws copyright, and trade mark law and the need to consider all aspects of intellectual property law when considering the protection of a product design.

Applicable Specialisms
• LLM in International Business Law
• LLM in Intellectual Property Law

Mode of Assessment
One coursework essay of 4000 words

Module Convenor(s)
• Professor David Musker
  http://www.law.qmul.ac.uk/staff/musker.html

Mode of Delivery
Daytime classes taught over 4 days

Teaching Dates
Monday 10th February 2020
Tuesday 11th February 2020
Monday 9th March 2020
Tuesday 10th March 2020
EU Data Protection Law

Module Code / Credit Value
CCLP209 / 30 credits

Module Description
This module examines EU data protection laws and examples of the regulatory frameworks established in the Member States. It explores the key debates and commercial implications of the current regime under the Data Protection Directive and the new regime under the General Data Protection Regulation, including the challenges of particular developments, such as telecommunications, cloud computing and the Internet of Things.

Students will acquire legal knowledge, and gain a robust insight into policy considerations underlying statutory law. You will also acquire an international and comparative perspective on how the law is understood and applied in different jurisdictions. You will thereby be placed in a position to critically analyse current developments.

Outline Syllabus
- Privacy and data protection laws
- Substantive and territorial scope
- Data Protection Principles and risk-based regulation
- Controller and processor obligations
- Data subject rights
- International data transfers
- Data protection governance, supervision and enforcement
- Communications privacy
- Case studies
- Compliance project

Applicable Specialisms
- LLM in International Business Law
- LLM in Technology, Media & Telecommunications Law

Mode of Assessment
One 3hr15mins written examination

Module Convenor(s)
- Professor Ian Walden
  http://www.law.qmul.ac.uk/staff/walden.html
- Professor Christopher Millard
  http://www.law.qmul.ac.uk/staff/millard.html
- Dr Ulrich Wuermeling
  http://www.law.qmul.ac.uk/staff/wuermeling.html

Mode of Delivery
Evening classes and Saturday daytime classes

Teaching Dates
Friday 15th May 2020
Saturday 16th May 2020
Thursday 28\textsuperscript{th} May 2020
Friday 29\textsuperscript{th} May 2020
Saturday 30\textsuperscript{th} May 2020
Friday 12\textsuperscript{th} June 2020
Saturday 13\textsuperscript{th} June 2020
European Copyright Law

Module Code / Credit Value
CCLP075 / 15 credits

Module Description
This module focuses on the copyright law of the European Union and on the relationship between that body of rules and the copyright laws of the Union’s member states (including France and Germany). It aims to provide students with a broad understanding of those systems and a more detailed awareness of specific topical issues within European copyright law. This module aims to provide students with:

- a sound understanding of the history and principles underlying the systems of copyright law in the European Union and its Member States
- an overview of the rules of those systems
- a detailed understanding of certain important aspects of the relevant law - e.g. originality, forms of protected work, ownership, infringement, defences, moral rights
- an ability to understanding the current challenges facing the development of copyright law within Europe

Outline Syllabus
- Introduction to philosophical and doctrinal justifications for European copyright law
- Introduction to historical, economic, and social aspects of European copyright law
- A review of copyright traditions in European states
- The European Union’s copyright (and related rights) acquis – including works and other subject-matter, authors and other right-holders, rights, exceptions and limitations
- Moral rights

Applicable Specialisms
- LLM in International Business Law
- LLM in Intellectual Property Law

Mode of Assessment
One coursework essay of 4000 words

Module Convenor(s)
- Professor Jonathan Griffiths
  http://www.law.qmul.ac.uk/staff/griffiths.html

Mode of Delivery
Daytime classes taught over 4 days

Teaching Dates
Thursday 26th September 2019
Friday 27th September 2019
Wednesday 30th October 2019
Thursday 31st October 2019
European Law of Trade-marks

Module Code / Credit Value
CCLP083/ 15 credits

Module Description
The emphasis is on European trade-mark law and, the relevant legal instruments and the extensive jurisprudence developed by the CJEU in that regard, with particular emphasis on the manner in which the latter is applied by UK courts. Trade-mark law has become an important driver of the economy, while brand loyalty, commercial reputation and goodwill are some of the most important assets a commercial entity might possess. These aspects will be covered in depth in relation to the trade-marks jurisprudence in Europe. Moreover, with the looming UK departure from the EU, the interplay between EU and UK trade-mark will be explored as it is of utmost importance to lawyers involved in pan-European transactions and litigation.

Outline Syllabus
• International Agreements and registration Systems
• Registered trade-marks in the EU: registerability
• Registered trade-marks in the EU: scope of protection
• Functionality
• Comparative advertising
• Trade-marks on the internet
• Dilution
• Parallel Importation and Exhaustion of rights

Applicable Specialisms
• LLM in International Business Law
• LLM in Intellectual Property Law

Mode of Assessment
24-hour final assessment exercise

Module Convenor(s)
• Dr Noam Shemtov
  http://www.law.qmul.ac.uk/staff/shemtov.html

Mode of Delivery
Evening classes

Teaching Dates
Tuesday 5th November 2019
Wednesday 6th November 2019
Thursday 7th November 2019
Tuesday 26th November 2019
Wednesday 27th November 2019
Information Technology Transactions: Management and Disputes

Module Code /Credit value
CCLP206 / 15 credits

Module Description
The module covers information technology transactions, contracts and licences in a variety of areas, such as: system procurement contracts, commercial software licensing, outsourcing, cloud computing and free and open source software.

Students will, above and beyond the acquisition of legal knowledge, gain a robust insight into all relevant considerations underlying the aforementioned transactions. They will also acquire a broad perspective on how the law affects various stakeholders at the negotiation stage, when the contract is concluded and during disputes. You will thereby be placed in a position to critically analyse complex legal scenarios in the abovementioned areas.

Outline Syllabus
- Introduction to the software development process comparing and contrasting a typical “waterfall” development methodology with Agile, Rapid Application Development (RAD) and other methodologies currently in vogue;
- An overview of common procurement models including contracting for turn-key solutions, systems integration arrangements, bespoke solutions, outsourcing, cloud computing and hybrid options;
- A review of key contract terms including pricing, liability models, requirements and customer dependencies, acceptance testing, termination and other key provisions;
- Consideration of pitfalls such as where the project gets ahead of the procurement process and possible practical solutions;
- Managing disputes and dispute resolution with examples of projects that failed or otherwise became problematic;
- Outsourcing and key contract terms in outsourcing arrangements;
- Ownership issues relevant to software development, software licensing and scope of use disputes and exhaustion of rights over licensed software;
- Consideration of the issues arising over the use of Free and Open Source Software including examples and case studies;
- A review of Cloud Computing and various models such as SaaS, PaaS and IaaS;
- A review of contract terms used by major cloud service providers, highlighting key areas of risk and deficiencies;
- Consideration of guidance issued by regulators including data protection regulators and regulatory authorities in the financial services sector expected good practice to be reflected in relevant outsourcing contracts including contracts for Cloud Computing services;
- Business concerns over cyber security and steps businesses should take to ensure compliance with GDPR and NIS directive.

Applicable Specialisms
- LLM in International Business Law
- LLM in Technology, Media & Telecommunications Law

Mode of Assessment
One 2hr15mins written examination
Module Convenor(s)
- Conor Ward
  http://www.law.qmul.ac.uk/staff/ward.html

Mode of Delivery
Daytime classes taught over 4 days

Teaching Dates
Wednesday 19\textsuperscript{th} February 2020
Thursday 20\textsuperscript{th} February 2020
Wednesday 18\textsuperscript{th} March 2020
Thursday 19\textsuperscript{th} March 2020
Insurance Law

Module Code / Credit Value
CCLP140 / 15 credits

Module Description
This module looks at particular types of insurance contract. It considers the impact on specific insurance contracts of the application of general principles of insurance contract, the terms that appear in different types of contract, their function and how they are interpreted by the courts, and how the applicable legislative environment varies with different types of insurance. Insurance is fundamental to a modern economy, allowing businesses and individuals to transfer the risk of loss, thereby facilitating investment and protecting wealth, and London is a world centre of the insurance industry. Students require no prior knowledge of insurance or English law. You will learn all they need to know as the module progresses.

Outline Syllabus
• This module looks at particular types of insurance contract (e.g. life assurance, cyber insurance, reinsurance) to analyse issues that arise in insurance and how they shape the policies.
• What is insurance? How does it differ from other contracts? Is a credit default swap, a loan guarantee or a warranty relating to goods insurance? Why does this matter?
• Forming an insurance contract. What obligations (if any) does the policyholder have to disclose issues (e.g. about their health in life assurance or the hole in the side of a ship in marine insurance) to the insurer before entering into the contract? Can I insure anyone's property or only my own? How is insurance transacted at Lloyd's of London?
• How does the insurance market deal with new risks, such as risks associated with the internet?
• Reinsurance: regulators require insurers to insure themselves against the risks they underwrite. Why and what problems does this cause?
• Students do not require any prior knowledge of English law or of insurance. You will learn all you need to know as the module progresses.

Applicable Specialisms
• LLM in International Business Law
• LLM in LLM in Banking and Finance Law

Mode of Assessment
One 2hr15mins written examination

Module Convenor(s)
• Professor Philip Rawlings
  http://www.law.qmul.ac.uk/staff/rawlings.html

Mode of Delivery
Daytime classes taught over 4 days

Teaching Dates
Wednesday 11th March 2020
Thursday 12th March 2020
Wednesday 8th April 2020
Thursday 9th April 2020
Intellectual Property and the Life Sciences

Module Code / Credit Value
CCLP093 / 15 credits

Module Description
The life sciences can be defined as the use of living organisms (biotechnology) and the protection or treatment of living organisms (medicine, veterinary medicine and plant protection). It comprises the science behind medicine, pharmacy and agriculture and their corresponding industries. The module will provide detailed knowledge of the role that intellectual property plays in providing investments for investment and incentives in the life sciences. It will also focus on the question of how to distribute the benefits of life sciences research fairly so that it benefits society.

This module aims to:

• Provide students with detailed understanding of the legal and regulatory issues related to intellectual property and the life sciences.
• Provide students with advanced knowledge of patenting biologics, diagnostics and human genes.
• Provide students with advanced knowledge of patent term extensions and exclusivity for regulatory data.
• Provide students with advanced knowledge of the patenting of stem cells and CRISPR technology.
• Provide students with detailed knowledge of the protection of plant innovations through plant breeders' rights, and the patenting of non-transgenic and transgenic plants.

Outline Syllabus

• Patenting biologics, diagnostics, and human genes
• Clinical trials, patent term extensions and exclusivity for regulatory data
• The patenting of stem cells and CRISPR technology
• Protection of plant innovations through plant breeders' rights
• Patenting non-transgenic and transgenic plants

Applicable Specialisms

• LLM in International Business Law
• LLM in Intellectual Property Law

Mode of Assessment

One coursework essay of 4000 words

Module Convenor(s)

• Professor Duncan Matthews
  https://www.qmul.ac.uk/law/staff/matthews.html

Mode of Delivery

Evening classes over 5 days

Teaching Dates

Monday 30th March 2020
Tuesday 31st March 2020
Wednesday 1st April 2020
Thursday 2nd April 2020
Friday 3rd April 2020
International and Comparative Law of Unfair Competition

Module Code / Credit Value
CCLP082 / 15 credits

Module Description
The Law of Unfair Competition constitutes a substantial part of industrial property law. The module examines the protection of business values such as goodwill, commercial symbols, and other valuable intangibles that are not protectable under laws of intellectual property. The module also addresses issues of consumer protection in that it examines practices that are unfair because they influence the consumers' economic decisions in a manner that is inappropriate.

Unfair competition law constitutes an individual practice area and an independent field of theoretical legal study.

In addition, the legal doctrines and underlying rationales of Unfair Competition Law feature significant commonalities with those of Intellectual Property, Competition, and Commercial Law. Hence, practitioners and legal theorists working on those neighbouring fields will have an opportunity to obtain practical and theoretical insights that are useful for appreciating the intricacies of their principal areas of expertise.

The module aims at providing the students with a thorough account of the main legal theories of unfair competition in various jurisdictions with a particular focus on US, EU, UK, French and German law in light of the binding European and international legal frameworks. Legal problems are approached from a comparative perspective. At the same time, emphasis is placed on the practical problems that arise in the context of disputes that involve claims of unfair competition.

Outline Syllabus
- Comparative approach with a focus on UK/US law and a comparative look at German and French law; International dimension of unfair competition law
- Protection of commercial goodwill and other intangible business values
- Protection of unregistered commercial symbols
- Confusion, Dilution, Misappropriation
- Passing Off
- Tortious interference
- False Advertising
- Misleading/Aggressive Commercial Practices

Applicable Specialisms
- LLM in International Business Law
- LLM in Intellectual Property Law

Mode of Assessment
One 2hr15mins written examination

Module Convenor(s)
- Dr. Apostolos Chronopoulos
  [http://www.law.qmul.ac.uk/staff/chronopoulos.html](http://www.law.qmul.ac.uk/staff/chronopoulos.html)

Mode of Delivery
Evening classes and Saturday daytime classes
Teaching Dates
Friday 6th March 2020
Saturday 7th March 2020
Friday 10th April 2020
Saturday 11th April 2020
International Arbitration and Energy

Module Code / Credit Value
CCLP163 / 15 credits

Module Description
International arbitration proceedings in the energy sector have seen an important increase in recent years, both in terms of their numbers and their economic and political importance. This module provides students with the basis for understanding the particular issues of disputes in the energy sector, both in international investment and commercial arbitration. This module gives students aiming to work in the arbitration area an important qualification in a very competitive market. The module includes various case studies and interventions from guest lectures from the energy industry and private practice.

It is recommended that this module be taken in conjunction with module CCLP047 Investment Treaty Arbitration.

Outline Syllabus
- Law Governing Hydrocarbon Contracts
- Stabilization and Renegotiation Clauses in International Energy Transactions
- Gas Supply Transactions and Disputes
- International Arbitration under the Energy Charter Treaty
- Climate Change, Sustainable Development and Energy

Applicable Specialisms
- LLM in International Business Law
- LLM in Comparative and International Dispute Resolution
- LLM in Energy and Natural Resources Law

Mode of Assessment
One 2hr15mins written examination

Module Convenor(s)
- Norah Gallagher
  https://www.qmul.ac.uk/law/staff/gallagher.html
- Professor Maxi Scherer (sabbatical 2019)
  http://www.law.qmul.ac.uk/staff/scherer.html

Mode of Delivery
Daytime classes over 4 days

Teaching Dates
Thursday 5th December 2019
Friday 6th December 2019
Thursday 12th December 2019
Friday 13th December 2019
International Arbitration: Applicable Laws and Procedures

Module Code / Credit Value
CCLP044 / 15 credits

Module Description
The growth of international commercial transactions, including infrastructure and investment projects, financial and IP transactions, has been accompanied over the last sixty years by the increased use of arbitration to settle disputes. Arbitration is now established as the preferred method of international dispute resolution as it provides for the neutrality and flexibility commercial parties seek.

This module examines the fundamental theoretical concepts and legal framework for international commercial arbitration. The teaching approach taken for this module is international and comparative, drawing on the laws of all major legal systems (including England, France, Switzerland, the USA, Model Law Countries, Singapore, China and Hong Kong) as well as the most important institutional and ad hoc arbitration rules (including the rules of the International Chamber of Commerce, the London Court of International Arbitration, the UNCITRAL Rules, the Stockholm Chamber of Commerce, the Singapore International Arbitration Centre). Particular focus is also given to the 1958 United Nations Convention on the Recognition and Enforcement of Foreign Arbitral Awards (the New York Convention) which has a central important in international commercial arbitration.

The aim of this course is to establish students’ knowledge and critical understanding as well as provide an insight into the practice of international commercial arbitration as an independent comparative law subject. The subject is first examined generically, without any reference to any national laws, arbitration rules or international instruments; and then various national and institutional approaches are presented.

The focus will be on applicable laws and procedures, including issues of evidence and issues of the relevance of the seat.

Please note: students intending to take CCLP044 are advised to first take CCLP043.

Course materials for this module are available to purchase from the QMUL e-shop; show receipt and collect from Student Services at ULIP.

Outline Syllabus

Section A: Applicable Law Issues

- Determination of Applicable Law
- Applicable Substantive Law
- Transnational Rules, Lex Mercatoria and Trade Usages

Section B: Procedure and Evidence

- Law Governing the Arbitration Procedure
- Commencement of Arbitration; Terms of Reference / Procedural Directions
- Procedural Issues
- Taking Evidence

Section C: Jurisdictional Issues

- Arbitrability
- Determination of Jurisdiction
• Provisional Measures
• Multi-party and Multi-contract Disputes

Section D: Award – form, content, challenge and enforcement

• Form and Content
• Finality and Challenges to Award
• Recognition and Enforcement

Applicable Specialisms
• LLM in International Business Law
• LLM in Comparative and International Dispute Resolution

Mode of Assessment
One 2hr15mins written examination

Module Convenor(s)
• Professor Catherine Rogers
  https://www.qmul.ac.uk/law/staff/rogers.html
• Professor Loukas Mistelis (sabbatical 2019/20)
  http://www.law.qmul.ac.uk/staff/mistelis.html

Mode of Delivery
Daytime classes over 4 days

Teaching Dates
Monday 30th March 2020
Tuesday 31st March 2020
Tuesday 28th April 2020
Wednesday 29th April 2020
International Arbitration: Regulation and Infrastructure

Module Code / Credit Value
CCLP043 / 15 credits

Module Description
The growth of international commercial transactions, including infrastructure and investment projects, financial and IP transactions, has been accompanied over the last sixty years by the increased use of arbitration to settle disputes. Arbitration is now established as the preferred method of international dispute resolution as it provides for the neutrality and flexibility commercial parties seek.

This module examines the fundamental theoretical concepts and legal framework for international commercial arbitration. The teaching approach taken for this module is international and comparative, drawing on the laws of all major legal systems (including England, France, Switzerland, the USA, Model Law Countries, Singapore, China and Hong Kong) as well as the most important institutional and ad hoc arbitration rules (including the rules of the International Chamber of Commerce, the London Court of International Arbitration, the UNCITRAL Rules, the Stockholm Chamber of Commerce, the Singapore International Arbitration Centre). Particular focus is also given to the 1958 United Nations Convention on the Recognition and Enforcement of Foreign Arbitral Awards (the New York Convention) which has a central important in international commercial arbitration.

The aim of this course is to establish students’ knowledge and critical understanding as well as provide an insight into the practice of international commercial arbitration as an independent comparative law subject. The subject is first examined generically, without any reference to any national laws, arbitration rules or international instruments; and then various national and institutional approaches are presented.

The focus will be on regulation and infrastructure and will also cover arbitration agreement and arbitration tribunal.

Please note: it is advised that CCLP043 is taken before CCLP044, if both are to be taken. Alternatively, CCLP043 may be taken alone.

Course materials for this module are available to purchase from the QMUL e-shop; show receipt and collect from Student Services at ULIP.

Outline Syllabus

Section A: Regulation and Infrastructure

- Delimitation, Definition and Juridical Nature
- Institutional and Regulatory Infrastructure
- Constitution, Human Rights and Arbitration
- Arbitration and the Courts

Section B: Arbitration Agreement

- Autonomy, Types, and Applicable Law
- Formal and Substantive Validity
- Interpretation of Agreements
- Drafting Arbitration Clauses

Section C: Arbitration Tribunal

- Selection and Appointment of Arbitrators
- Rights and Duties of Arbitrators
Independence and Impartiality of Arbitrators
Challenge and Removal of Arbitrators

Section D: Investment Arbitration and Specialist Arbitration

- Arbitration with States and State-Owned Entities
- Arbitration of Investment Disputes
- Specialist and Mixed Arbitration

Applicable Specialisms
- LLM in International Business Law
- LLM in Comparative and International Dispute Resolution

Mode of Assessment
One 2hr15mins written examination

Module Convenor(s)
- Professor Catherine Rogers
  https://www.qmul.ac.uk/law/staff/rogers.html
- Professor Loukas Mistelis (sabbatical 2019/20)
  http://www.law.qmul.ac.uk/staff/mistelis.html

Mode of Delivery
Daytime classes over 4 days

Teaching Dates
Thursday 13th February 2020
Friday 14th February 2020
Thursday 5th March 2020
Friday 6th March 2020
International Banking Regulation

Module Code / Credit Value
CCLP007 / 30 credits

Module Description
The module on "International Banking Regulation" provides students with an in depth and thorough understanding of the legal and supervisory framework covering the entire life-cycle of a bank, from its inception to its failure. It also considers the economic and legal rationale for regulating banking institutions. The module covers primarily the regulatory and the supervisory framework in the UK and the EU. However, reference to international standards and the activities of international standard setters, such as the Financial Stability Board and the Basel Committee of Banking Supervision, is made throughout the module.

The module aims at providing students with a solid, thorough and cross disciplinary understanding of the most important regulations applicable to the Banking sector. The study of regulation will be complemented with that of supervision. This is a fundamental module for all students wishing to specialise in banking and finance.

Outline Syllabus
- Rationale for banking regulation
- Types of banks and activities
- Shadow banking
- Authorisation, licencing and passporting
- The banking supervisory and regulatory structure in Europe and in the UK
- International architecture of supervision/regulation: BIS; BCBS; FSB; IMF
- The Basel Accords on Capital regulation
- Banking crisis
- Bank Recovery and Resolution

Applicable Specialisms
- LLM in International Business Law
- LLM in Banking and Finance Law

Mode of Assessment
One 7500 word essay

Module Convenor(s)
- Dr Costanza Russo
  [http://www.law.qmul.ac.uk/staff/russo.html](http://www.law.qmul.ac.uk/staff/russo.html)

Mode of Delivery
Daytime classes over 6 days

Teaching Dates
- Wednesday 2nd October 2019
- Thursday 3rd October 2019
- Friday 4th October 2019
- Wednesday 13th November 2019
- Thursday 14th November 2019
- Friday 15th November 2019
International Commercial Arbitration (Skills and Advocacy)

Module Code / Credit Value
CCLP602 / 15 credits

Module Description
International Arbitration is a more and more specialized area of law. In this module, students will learn the specific skill sets needed to become a successful arbitration lawyer. Oral and written advocacy, understanding of different cultural legal backgrounds and other skills will be taught on a “learning by doing basis.” Students will take part in practical exercises, stepping in the shoes of arbitrator, counsel or clients. Applying the theoretical concepts of international arbitration in practice, students will learn the fundamental skills that will give students an important qualification in a competitive legal market. You will benefit from practical guest lectures from renowned arbitration practitioners. Prior knowledge of dispute resolution or arbitration is strongly recommended for this module.

Outline Syllabus
- Planning and drafting dispute resolution clauses
- Selection and challenge of arbitrators
- Arbitral procedure – bridging cultural gaps
- Recognition and enforcement of arbitral awards under the New York Convention
- Exercises on oral and written advocacy

Applicable Specialisms
- LLM in International Business Law
- LLM in Comparative and International Dispute Resolution

Mode of Assessment
One 2hr15mins written examination (50%)
Practical class exercises and oral presentation (50%)

Module Convenor(s)
- Professor Maxi Scherer
  http://www.law.qmul.ac.uk/staff/scherer.html

Mode of Delivery
Evening classes over 5 days

Teaching Dates
Tuesday 5th May 2020
Wednesday 6th May 2020
Thursday 7th May 2020
Tuesday 26th May 2020
Wednesday 27th May 2020
International Energy Transactions

Module Code / Credit value
CCLP162 / 15 credits

Module Description
This module will teach students about the main types of energy transactions while putting them in the context of the energy transition. International energy transactions are complex, large, incredibly high risk and very expensive. They involve many parties from hosts states, international oil companies, national oil companies, NGOs, IGOs as well as service providers. The course is focused on practical issues including specific contract provisions used in upstream contacts from concessions to joint operating agreements. The module also looks at how these large expensive energy projects are financed. The unconventional market development in particular in the USA and the LNG value chain with the impact on the global gas market are also covered. Nuclear power is still part of the energy matrix of many states being a low carbon process and ensuring energy security.

The course aims to give a practical overview of the main types of transactions so that students understand the market drivers, can identify the types of contracts and the impact of the move from fossil fuels to clean sustainable power generation. The energy sector in dynamic and students need to be aware of impact this energy transition will have on the energy sector in the future.

Outline Syllabus
- Introduction to the subject matter, historical context & Sovereignty over Natural Resources under the New International Economic Order
- Overview of the main types of contracts in the upstream oil & gas sector and their evolution in terms from Concessions to service agreements
- Key issues relating to Energy-related construction contracts
- Introduction to the mid-stream sector and its significance to the Energy industry; maritime and transboundary pipelines
- Understand the Shale Gas/ unconventional gas development and its impact on the global gas markets and pricing
- Nuclear Power: specific considerations of planning and operating a nuclear plant post Fukushima disaster
- Energy Finance: sources of financing for energy transactions, structure and main agreements
- Renewables; Energy and the Environment: UNFCCC, Kyoto Protocol; Paris Agreement
- LNG Projects: significance, scale and value chain
- Power Plants: off takes, maintenance and operating profits

Applicable Specialisms
- LLM in International Business Law
- LLM in Energy and Natural Resources Law

Mode of Assessment
One 2hr15mins written examination

Module Convenor(s)
- Norah Gallagher
  http://www.ccls.qmul.ac.uk/staff/gallagher.html
Mode of Delivery
Daytime classes taught over 5 days

Teaching Dates
Wednesday 23rd October 2019
Thursday 24th October 2019
Friday 25th October 2019
Monday 18th November 2019
Tuesday 19th November 2019
International Law of Patents and Related Rights

Module Code / Credit Value
CCLP077 / 15 credits

Module Description
Patents provide, for a limited time, the right to exclude others from acts of making, using, selling, keeping or importing products containing the patented invention. Under the World Trade Organisation (WTO) Agreement on Trade-Related Intellectual Property Rights (the TRIPS Agreement) WTO Members, in particular developing countries, face challenges in meeting their obligations to provide patent protection and related rights. The module will assess the extent to which these obligations derived from international law impact on access to medicines, traditional knowledge, biological diversity, farmers’ rights, food security and human rights.

Outline Syllabus
- Patent provisions of the Paris Convention and the TRIPS Agreement
- Dispute settlement and the TRIPS Agreement
- The TRIPS Agreement and access to medicines
- Farmers’ rights, biodiversity and traditional knowledge
- TRIPS flexibilities, patents and human rights

Applicable Specialisms
- LLM in International Business Law
- LLM in Intellectual Property Law

Mode of Assessment
One coursework essay of 4000 words

Module Convenor(s)
- Professor Duncan Matthews
  http://www.law.qmul.ac.uk/staff/matthews.html

Mode of Delivery
Evening classes over 5 days

Teaching Dates
Monday 20th April 2020
Tuesday 21st April 2020
Wednesday 22nd April 2020
Thursday 23rd April 2020
Friday 24th April 2020
International Oil and Gas Law and Contracts in the Energy Transition

Module Code / Credit Value
CCLP161 / 15 credits

Module Description
Petroleum laws and contracts are the ultimate manifestation of policy and are the result of lengthy negotiation processes and have an unusual dynamic. According to the World Bank, between 1999 and 2010 more than 30 countries revised their petroleum contracts and made major amendments or completely changed their petroleum legal and fiscal framework. Several more countries have done the same since the 2014 oil price downturn in order to adapt themselves to the changes in the industry. This module will examine the main type of contracts used in the upstream petroleum industry (Production Sharing Agreements, Concessions and Service Agreements) and their most important legal and fiscal mechanisms and the reasons why these are so frequently changed. This course will also focus on the study of these contracts dynamics within the so-called energy transition, risk mitigation strategies in order to avoid the most common forms of legal and political risks: expropriations and contract renegotiation.

At the end of the course students will be able to understand petroleum contract dynamics from both the host country and the IOC’s point of view, understand their structure and adaptability, and the reasons why these are so frequently changed as well as the tools which are at their disposal to avoid this trend. This module will also examine the key issues when contract are negotiated and eventually renegotiated. Finally, this course will also aim to give students an introduction of how legal, political economy and business issues interact in the petroleum upstream industry.

Outline Syllabus
- Basic Concepts - Ownership of Natural Resources, Permanent Sovereignty over Natural Resources and the Rule of Law and Pacta Sunt Servanda.
- Introduction to Petroleum Contracts – Concessions, Petroleum Sharing Agreements and Service Agreements
- Introduction to Petroleum Contracts – Concessions, Petroleum Sharing Agreements and Service Agreements (and II)
- Capturing the Rent – Fiscal and Contractual Mechanisms – From Royalties to Mandatory State Participation
- Upstream Fiscal Systems – An Economist Perspective (Guest Lecture/Steve Parish, IHS Principal Petroleum Economist)
- How Oil and Gas Contracts are Awarded? Direct Awards and Competitive Bid Rounds. Liberal vs. Proprietorial Regimes
- Why these Contracts are Renegotiated or their Fiscal Terms Changed so Often? State Sovereignty vs. Contract Sanctity. Recent Cases.
- Legal and Contractual Particularities of Unconventional Hydrocarbons Projects (Guest Lecture)
- Risk Mitigation Strategies – From Stabilisation Clauses to Corporate Structure Planning. Introduction and Role of Bilateral Investment Treaties (BITs)
- Dispute Resolution Methods. From Arbitration to Expert Determination. Recent Arbitration Awards Relating to Oil and Gas and Outlook.
Applicable Specialisms
- LLM in International Business Law
- LLM in Energy and Natural Resources Law

Mode of Assessment
One coursework essay of 4000 words

Module Convenor(s)
- Carlos Bellorin
  http://www.sciencespo.fr/psia/users/carlosbellorin
- Professor Loukas Mistelis (sabbatical 2019)
  http://www.law.qmul.ac.uk/staff/mistelis.html

Mode of Delivery
Daytime classes over 4 days

Teaching Dates
Thursday 26th March 2020
Friday 27th March 2020
Thursday 23rd April 2020
Friday 24th April 2020
International Regulation and Governance of Energy

Module Code / Credit Value
CCLP164 / 15 credits

Module Description
This module will provide students with a good knowledge of the regulation and governance of the energy sector. It considers the issues impacting the continuing development of the sector as it relates to regulation with particular emphasis on the EU and the internal energy market it seeks to create. It will examine specifically, for example, energy regulation models, and the regulation and governance of specific markets such as oil and gas, electricity and alternate energy sources. It will explore issues such as the role of ACER as a transnational regulator, the European Target Model for the electricity and gas markets, market coupling and the likely shape of future energy markets as the Energy Union continues to take shape. It will encourage students to critically analyse the issues impacting regulation and to apply their knowledge to factual problems encountered by regulators and non-state actors.

Outline Syllabus
- Introduction to EU and International energy regulation
- EU Energy Policy: Introduction to the legal instruments and institutions
- EU Energy Policy: Liberalisation and Unbundling
- EU Energy Policy: The creation of the internal market and the Energy Union, policy and regulatory instruments: Target Models and Market Coupling
- Exploration of various Energy Regulation Models and Market Designs
- Supply Security: A Case for EU Regulation?
- Role of Non-State actors in regulation of the industry
- Outlook and Future Policy Issues

Applicable Specialisms
- LLM in International Business Law
- LLM in Energy & Natural Resources Law

Mode of Assessment
One 2hrs15mins written examination

Module Convenor(s)
- Silke Goldberg
  https://www.herbertsmithfreehills.com/our-people/silke-goldberg
- Norah Gallagher
  http://www.ccls.qmul.ac.uk/staff/gallagher.html

Mode of Delivery
Evening classes over 5 days

Teaching Dates
Monday 27th January 2020
Tuesday 28th January 2020
Monday 24th February 2020
Tuesday 25th February 2020
Wednesday 26th February 2020
Introduction to Competition Law

Module Code / Credit Value
CCLP607 / 15 credits

Module Description
The module will provide an introduction to competition law. The module will address the essentials of Article 101 TFEU (undertaking, agreement etc.), discuss various types of anticompetitive agreements, as well as the modern approach to the application of Article 101(3) TFEU in defending anticompetitive agreements. Then the module will look at Article 102 TFEU. The module will analyse the essential features of Article 102 TFEU i.e. the concept of dominance and the concept of abuse. Then the module will present some of the abuses (e.g. tying/bundling, exclusive dealing, price discrimination, refusal to supply). Finally, the module will analyse the assessment of mergers and acquisitions, focusing on substantive analysis. The content of the module is relevant for the competition enforcement by the European Commission, but also by National Competition Authorities of the EU Member States. The module will adopt a very practical perspective (case studies, quizzes) and will aim to equip students with the tools they need to assess/address infringements of national and EU competition law.

Outline Syllabus
ARTICLE 101
• Undertaking
• Agreements, concerted practices and decisions of associations of undertakings
• Market Definition
• Object or Effect
• Article 101(3) Exemption
• Horizontal Agreements – Cartels
• Horizontal agreements-Cooperation Agreements-Joint Ventures
• Vertical Agreements
• Sanctions, Settlements

ARTICLE 102
• Definition of Dominance
• Abuses
  o Rebates
  o Price discrimination
  Predatory pricing
  o Refusal to supply/Refusal to deal
  o Essential facility

MERGERS
• Horizontal Mergers
• NonHorizontal Mergers
• Remedies

Applicable Specialisms
• LLM in International Business Law
**Mode of Assessment**
One coursework essay of 4000 words

**Module Convenor(s)**
- Professor Ioannis Kokkoris
  
  [https://www.qmul.ac.uk/law/staff/ioanniskokkoris.html](https://www.qmul.ac.uk/law/staff/ioanniskokkoris.html)

**Mode of Delivery**
Evening classes and Saturday daytime classes

**Teaching Dates**
Friday 21st February 2020
Saturday 22nd February 2020
Friday 20th March 2020
Saturday 21st March 2020
Investment Treaty Arbitration

Module Code / Credit Value
CCLP047 / 30 credits

Module Description
The legal environment for international trade and foreign investment has changed dramatically since the end of the Cold War. Foreign investors are much more willing to pursue a claim of, for example, alleged expropriation or discriminatory behaviour by a host State. Further, public international law principles must also be considered once a state is involved. Principles of state responsibility, expropriation and acts tantamount to expropriation, what comprises fair and just compensation, immunity from suit and immunity from execution. These public international law principles overlap somewhat uncomfortably with the commercial interests of foreign investors. Developments in investment arbitration and trade dispute resolution have been rapid in recent years. It is now crucial that academics and legal practitioners are aware of the complex international legal elements involved in the resolution of investment and trade disputes. The subject has become very topical with broader political and economic debate on ISDS. This debate has intensified in recent years and various reform projects are underway at UNCITRAL, ICSID and other international organisation.

Course materials for this module are available to purchase from the QMUL e-shop; show receipt and collect from Student Services at ULIP.

Outline Syllabus
- Introduction to the subject matter and the course – Regulatory and Institutional Framework; Legitimacy Concerns
- Basic Principles of Dispute Settlement – Applicable Law – Public International Law
- BIT I: Models and key content
- ICSID I – Overview, Context and History
- ICSID II: Jurisdiction – Consent, Ratione materiae / personae
- ICSID III: Jurisdiction – continued
- ICSID IV: Procedural Issues: Tribunal, Hearing, Evidence
- ICSID V: Procedural Issues II – Award and Annulment
- ICSID VI: Enforcement and Sovereign Immunity
- BIT II: Key procedural issues – and extension of jurisdiction: MFN and Umbrella Clauses
- BIT III: Substantive protection: Expropriation
- BIT IV: Substantive protection: FET
- States Defences: Corruption, Illegality et al; Counterclaims
- From BITs to FTAs – NAFTA, CAFTA, ECT, et al
- From FTAs to Mega-regionals

Applicable Specialisms
- LLM in International Business Law
- LLM in Comparative and International Dispute Resolution

Mode of Assessment
One 3hr15mins written examination
Module Convenor(s)

- Dr Crina Baltag
  https://www.beds.ac.uk/howtoapply/departments/businessschool/our-staff/staff4/crina-baltag
- Professor Loukas Mistelis (sabbatical 2019/20)
  http://www.law.qmul.ac.uk/staff/mistelis.html

Mode of Delivery
Daytime classes taught over 6 days, including Saturday

Teaching Dates
Thursday 3rd October 2019
Friday 4th October 2019
Saturday 5th October 2019
Thursday 10th October 2019
Friday 11th October 2019
Saturday 12th October 2019
Law and Ethics in the Energy Sector

Module Code / Credit Value
CCLP157 / 15 credits

Module Description
Energy plays a central role for the existence and subsistence of human life on earth. The production, distribution and use of energy resources raise numerous ethical questions beyond legal and political issues. Such questions include: (a) who owns energy resources? (b) how can the interests of present and future generations in the enjoyment of resources be balanced? (c) what is the role of states in securing a reliable energy supply to their citizens? (d) what are the risks in entrusting multinational corporations with conducting exploration and exploitation activities? and (e) are states and multinational corporations adequately addressing anthropogenic phenomena, such as pollution or climate change, and doing so consistently with other political, social, economic measures? The module on Energy Law and Ethics will provide students with a comprehensive understanding of the ethical implications of international laws, policies and practices in the energy sector. It will enable them to identify these implications and to apply a more comprehensive ethical view to energy law and policy. The Energy Law and Ethics module is concerned with the study of the ethical dilemmas arising in the energy sector. It aims to provide both a theoretical and practical approach to the analysis of these issues.

Outline Syllabus
FRAMEWORK AND CONCEPTS: sovereignty and sovereign rights; energy trilemma; basic principles (polluter-pays principle, common but differentiated responsibilities, inter-generational equity)
STATES AND INTERNATIONAL LAW: permanent sovereignty over natural resources and self-determination; other human rights obligations, including indigenous peoples rights
EXTRATERRITORIALITY AND HUMAN RIGHTS: extraterritorial obligations of states, extraterritorial domestic law, including parent company liability and the Modern Slavery Act 2015
TRANSNATIONAL CORPORATIONS AND HUMAN RIGHTS: OECD Guidelines on Multinational Enterprises; the role of national contact points; corporate responsibility
THE ETHICS OF INVESTMENT IN THE ENERGY SECTOR: FDI in the energy sector; investment agreements and the protection of the environment
THE ETHICS OF TRADE IN THE ENERGY SECTOR: trade in the energy sector; promoting renewables under WTO law; exports restrictions on raw materials under WTO law
CLIMATE CHANGE AND ETHICS I: international climate change legal and institutional framework; climate change and inter-generational equity; climate change and the application of the ‘CBDR’ principle; climate refugees
REVISION: in class exercise and Q&A

Applicable Specialisms
- LLM in International Business Law
- LLM in Energy and Natural Resources Law

Mode of Assessment
One 2hr15mins written examination

Module Convenor(s)
- Dr Tibisay Morgandi
Mode of Delivery
Daytime classes over 4 days

Teaching Dates
Monday 4th May 2019
Tuesday 5th May 2019
Monday 25th May 2019
Tuesday 26th May 2019
Law of Financial Crime: European & International Perspectives

Module Code / Credit Value
CCLP603 / 15 credits

Module Description
This module will examine the European and International Law of Financial Crime. It will focus in particular on the development of legal responses to money laundering and terrorist finance, corruption and fraud (including fraud against the budget of the European Union). The synergy between European and international initiatives in developing a system of global governance in the field will be analysed and the impact of such system on domestic legal systems will be explored. The module will also place emphasis on the impact of new legislative initiatives in the field on fundamental principles of commercial and criminal law, as well as on the protection of fundamental rights.

Outline Syllabus
The module will be organised in three broad thematic sections:

- governance (which will examine the multi-level system of legislation and compliance in financial crime law developed by the United Nations, the UN Security Council, the FATF, the Council of Europe and the European Union);
- substantive content (which will examine the various aspects of the AML regime including the criminalisation of money laundering and terrorist finance and the relevant predicate offences; the imposition of sanctions including freezing orders and confiscation; the preventive duties imposed on the private sector including banks and financial institutions and their expansion over time (including suspicious transaction reporting and know your customer-beneficial ownership issues); and the aspect of financial intelligence, focusing on the evolution and role of the various models of financial intelligence units (FIUs); and
- judicial and police co-operation and prosecution, focusing in particular on innovations introduced by the European Union including the European Arrest Warrant and the establishment of the European Public Prosecutor’s Office (EPPO).

Applicable Specialisms
- LLM in International Business Law
- LLM in Banking and Finance Law

Mode of Assessment
One coursework essay of 4000 words

Module Convenor(s)
- Professor Valsamis Mitsilegas
  http://www.law.qmul.ac.uk/staff/mitsilegas.html

Mode of Delivery
Daytime classes over 4 days

Teaching Dates
Monday 27th April 2020
Tuesday 28th April 2020
Monday 18th May 2020
Tuesday 19th May 2020
Lawyer Negotiations

Module Code / Credit value
CCLP039 / 15 credits

Module Description
The course will explore negotiation through various theoretical approaches including strategic bargaining, cognitive theories, processual analysis, for example. The focus will be on the lawyer as negotiator and the intent is to blend theoretical analysis with practical application. Lectures will be delivered in combination with role-play simulations and exercises. Students will be expected to participate in exercises and simulated roleplays each class.

This module aims to familiarise the student with negotiation theory and to explore how these theories impact the student’s approach to negotiation; to enhance the student’s preparation for and engagement in negotiation; to combine theoretical learning with practical application to gain understanding through experiential learning.

Please note that registrations for this module will be capped at 20 students.

Outline Syllabus
- The Negotiator
- The Strategic Choices of the Negotiator
- Preparation for Negotiation: Plans and Approaches
- Barriers to Rational Decision-Making
- Issues facing the Representative Negotiator

Applicable Specialisms
- LLM in International Business Law
- LLM in Comparative and International Dispute Resolution

Mode of Assessment
One course work essay of 3000-4000 words (80%)
One oral presentation of 10-15 minutes (20%)

Module Convenor(s)
- Dr Debbie De Girolamo
  http://www.law.qmul.ac.uk/staff/degirolamo.html

Mode of Delivery
Daytime classes taught over 3 days

Teaching Dates
Monday 28th October 2019
Tuesday 29th October 2019
Wednesday 30th October 2019
Legal Aspects of International Finance

Module Code
CCLP606 /15 credits

Module Description
How do corporates and governments raise large-scale finance in the international banking and capital markets?

The focus will be on certain key financial transactions:

- syndicated loans: where multiple lenders lend on the basis that each has a separate contract with the borrower but all act together
- bonds: where the entity seeking funds borrows directly from investors through the market rather than from a bank
- securitisation: bonds backed by an income stream, such as mortgage payments or, with Bowie bonds, future music royalties

We will look at the issues that shape both the way the documents are drafted and the structures supporting them. These documents are taken from contracts used in the London market, and, in particular, we will analyse the Loan Market Association's Multicurrency Term and Revolving Facilities Agreement. As a global financial centre, these London documents have been adopted in other financial markets around the world. Transactions undertaken in London often do not involve any party or asset located in the United Kingdom. Indeed, the transactions we will examine are cross-border: for example, Lenders located in Countries A, B and C, Borrower in Country D, Assets in Country E, Governing Law specified as English Law.

Students are not required to have any prior knowledge of banking, finance, contract law, or English law. You will learn all you need to know, including the terminology, as we proceed. Materials, including a detailed study guide, will be provided.

Outline Syllabus

- Financing needs of corporations, banks and sovereigns
- Syndicated lending: types of loan contracts, terms relating to interest rates (difficulties associated with screen rates such as Libor), specifying the purpose of the loan (how binding is this?), utilisation requests, conditions precedent, representations and warranties, information undertakings, financial covenants, negative pledge, asset disposal clause, events of default (what are the purpose of these terms, what difficulties are involved in drafting them?); managing the lending syndicate (if each lender has a separate contract with the borrower, why should the syndicate work together?); transfer of loan participations; roles and liabilities of subsidiary parties (such as the arranger and agent banks).
  The issues that arise in syndicated loan prepare us for similar issues in other types of finance, as well as differences between them.
- Bonds: eurobonds: terms, the problem of managing bond investors
- Securitisation and the use of derivatives: the structure of securitisations: what are the objectives of securitisation, how are the difficulties overcome?
- Secured financing: this is an issue we will consider throughout - do we need security (that is, granting the creditor a legal right over some or all of the debtor's assets to which resort can be had if the debtor defaults), how do we protect the privileged position with regard to other creditors that security supposedly provides?
• Governing law and jurisdiction: the law governing the deal and the place where disputes can be litigated will (normally) be specified in the documents, but some aspects of the deal may not be governed by this choice: e.g. whether the borrower has capacity to enter into the deal, whether the borrower is insolvent, whether security is enforceable.

**Applicable Specialisms**
- LLM in International Business Law
- LLM in Banking and Finance Law

**Mode of Assessment**
One 2hr15mins written examination

**Module Convenor(s)**
- Professor Philip Rawlings
  [http://www.law.qmul.ac.uk/staff/rawlings.html](http://www.law.qmul.ac.uk/staff/rawlings.html)

**Mode of Delivery**
Evening classes and Saturday daytimes

**Teaching Dates**
Friday 27th September 2019
Saturday 28th September 2019
Friday 29th November 2019
Saturday 30th November 2019
Licensing Intellectual Property

Module Code / Credit Value
CCLP078 / 15 credits

Module Description
The module begins with an explanation of the principles of intellectual property, contract and competition law as they relate to licensing contracts. The body of the module will be concerned with the character, structure and drafting of licensing agreements for the major forms of intellectual property to include patent, trade mark and copyright licensing. The module will examine in light of statute and case law, the key terms common to such licensing agreements including: ownership; grant of intellectual property; territorial exclusivity; invention improvement; sublicensing; royalties; warranties; indemnities and dispute resolution. The module will discuss current issues in the field of licensing including trade marks and selective distribution agreements; standard essential patents and FRAND (fair, reasonable and non-discriminatory) licensing; as well as copyright licensing, news aggregation; and technological self-help measures including blockchain technologies.

Outline Syllabus
• Flexibility of the licensing contract to fully exploit IP: IP grant clauses; territorial exclusivity.
• Ownership and exploitation of future IP: ‘improvements’ in patent licences.
• Defending and enforcing the licensed IP: the distinctiveness of trade marks, quality control and ‘naked’ licensing; no challenge clauses in patent licences and competition law.
• Exhaustion of IPRs and contractual restrictions on distribution: selective distribution agreements; territorial restrictions in patent licences and competition law; clauses restricting the distribution of software and e-books compared; information aggregation, copyright liability and multiple licensing.
• Refusal to license and the public interest: compulsory licences and UK licences of right; standard essential patents, the FRAND obligation and the methods of assessing a FRAND royalty rate in the UK and the USA compared.

Applicable Specialisms
• LLM in International Business Law
• LLM in Intellectual Property Law

Mode of Assessment
One 2hr15mins written examination

Module Convenor(s)
• Dr Gail Evans
  http://www.ccls.qmul.ac.uk/staff/evans.html

Mode of Delivery
Daytime classes over 4 days

Teaching Dates
Thursday 14th May 2020
Friday 15th May 2020
Thursday 11th June 2020
Friday 12th June 2020
Mergers and Acquisitions

Module Code / Credit Value
CCLP010 / 15 credits

Module Description
Primarily the course aims to contribute to a critical understanding of the subject matter through the combined study of theories of regulation in general and the corporate dynamics in particular, with a special focus on the different stakeholders involved in corporate finance. The module will focus on issues such as: the use of debt and equity; why merge or acquire a business; due diligence, acquisition/sale agreements and contractual governance; the permissibility and regulation of takeover defences in the UK, US and the EU and the protection of minority shareholders through the regulation of this bid process; the role of other constituencies such as employees affected by control transactions. Finally this module is a good complement to the one in Securities and Markets Regulation.

Outline Syllabus
- Acquisition Finance
- Issues of Mergers
- M&As I: Preparing the Deal & Pre-Contractual Arrangements
- M&As II: Due Diligence
- M&As III: Share Purchase Agreements
- M&As IV: Shareholders Agreements & Other Subsidiary Agreements
- Takeovers: UK, US and EU Perspectives

Applicable Specialisms
- LLM in International Business Law
- LLM in Banking and Finance Law

Mode of Assessment
One 2hr15mins written examination

Module Convenor(s)
- Katrien Morbée  
  https://www.qmul.ac.uk/law/staff/kmorbee.html
- Professor Rodrigo Olivares-Caminal  
  http://www.law.qmul.ac.uk/staff/olivarescaminal.html

Mode of Delivery
Daytime classes over 4 days

Teaching Dates
Thursday 23rd April 2020
Friday 24th April 2020
Monday 11th May 2020
Tuesday 12th May 2020
Regulation on Media Reporting of the Legal System

Module Code / Credit Value
CCLP218 / 15 credits

Module Description
One of the most fundamental concepts governing a legal system is not only that justice should be done, but that it should also be seen to be done. The modern notion of open justice sees the media encouraged to report on the court system in operation; indeed, the right to do so comes under the scope of Article 10. There are, however, situations in which limits must be put upon what may be reported, such as, for example, where the public interest lies in protecting the Article 8 privacy rights of an individual, or perhaps even where it is necessary for information identifying them to be withheld from publication lest it put their actual lives in danger, as was seen in regards to the Bulger killers, Thompson & Venables (UK). Prior to and during legal proceedings, it can be necessary to put limits on the manner in which the media report particular proceedings; in some circumstances, it may even be necessary to prevent certain key information from being able to be reported at all for the duration, as to do otherwise could pose a threat to the integrity of the proceedings, violating the Article 6 right.

This module will undertake a comparative exploration of different legal approaches which seek to maintain the balance between open justice and media freedom of expression on the one hand, and the protection of vital interests in the integrity of the justice process on the other. Consideration will also be given to the challenges posed by the nature of the contemporary media: online, global, and instantaneous. Can traditional approaches in this area, designed in an era of professional journalists and defined boundaries, be adapted in order to really address the internet era of amateur commentators, online gossips, and international communication platforms with global reach?

Outline Syllabus
- Reporting restrictions
- Media reporting – the role of “standards”
- parliamentary/public fora restrictions
- Considering contempt of publication: the landmark, first ever freedom of expression case
- Protection of journalistic sources
- English Contempt of Court Laws
- Online challenges to the legal regulation
- Reporting Parliament

Applicable Specialisms
- LLM in International Business Law
- LLM in Technology, Media & Telecommunications Law

Mode of Assessment
24-hour Final Assessment Exercise

Module Convenor(s)
- Gavin Sutter
  https://www.qmul.ac.uk/law/staff/sutter.html
- Dr. David Goldberg
  https://www.qmul.ac.uk/law/staff/goldberg.html
Mode of Delivery
Daytime classes taught over 4 days

Teaching Dates
Wednesday 13\textsuperscript{th} November 2019
Thursday 14\textsuperscript{th} November 2019
Wednesday 20\textsuperscript{th} November 2019
Thursday 21\textsuperscript{st} November 2019
Securities and Markets Regulation

Module Code / Credit Value
CCLP001 / 15 credits

Module Description
The module in Securities and Markets Regulation covers the most important pieces of EU legislation applicable to capital markets. These include the Markets in Financial Instruments Directive and Regulation (MiFID and MiFIR), the Transparency Directive and the UCITS and AIFM Directives, which discipline collective investment funds and alternative investment funds managers.

Particular attention will be given to the study of market venues as well as the European and International institutional framework governing their supervision.

This module is a good complement to CCLP010 Mergers and Acquisitions.

Outline Syllabus
- Regulated and OTC markets
- Trading venues
- MiFID Directive: financial investment services, financial instruments, conduct of business rules
- UCITS Directive: funds definition and activities
- Transparency Directive
- Capital Markets Union

Applicable Specialisms
- LLM in International Business Law
- LLM in Banking and Finance Law

Mode of Assessment
One 2hr15mins written examination

Module Convenor(s)
- Dr Costanza Russo
  [http://www.law.qmul.ac.uk/staff/russo.html](http://www.law.qmul.ac.uk/staff/russo.html)

Mode of Delivery
Evening classes over 5 days

Teaching Dates
Tuesday 4th February 2020
Wednesday 5th February 2020
Thursday 6th February 2020
Thursday 27th February 2020
Friday 28th February 2020
Trade Secrets

Module Code / Credit value
CCLP096/ 15 credits

Module Description
Every intellectual property right starts life as a trade secret. Trade secrets and related intellectual assets are viewed as critical to the success of many businesses. But they are also uniquely fragile rights and so their protection under different legal systems requires close assessment. This module complements other IP modules by providing an opportunity to study the economic and legal foundations of these important rights.

Outline Syllabus
- Trade secrets/confidential information as “Intellectual Assets”. Intellectual Property Rights or some other kind of right?
- Trade secrets/confidential information: legal protection – English Law and comparative legal systems; the EU Directive on Trade Secrets
- The threat to trade secrets from industrial espionage: methods; examples; cybersecurity; protection.
- The main threat to trade secrets/confidential information from insiders; employees; employee mobility.
- Practical steps to manage and protect trade secrets: using non-disclosure and other confidentiality agreements; other practical measures. Trade secret identification and protection plans.
- Trade secret litigation: practical steps to secure protection – injunctions and other remedies; special aspects of trade secret litigation.

Applicable Specialisms
- LLM in International Business Law
- LLM in Intellectual Property Law

Mode of Assessment
One coursework essay of 4000 words

Module Convenor(s)
- John Hull
  https://www.qmul.ac.uk/law/staff/hull.html

Mode of Delivery
Daytime classes taught over 4 days

Teaching Dates
Tuesday 8th October 2019
Wednesday 9th October 2019
Thursday 15th October 2019
Friday 16th October 2019