
Module Catalogue

Exchange Studies Faculty of Law

Faculty of Law

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Version 5 (since SoSe24)

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* = At least one course for this module is offered in the current semester

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* = At least one course for this module is offered in the current semester

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Module JUR-8005: Company Law <i>Gesellschaftsrecht (Recht der Personengesellschaften)</i>		9 ECTS/LP
Version 1.0.0 Person responsible for module: Prof. Dr. Raphael Koch		
Contents: <ol style="list-style-type: none"> 1. Partnership under the Civil Code (GbR) 2. General Partnership (OHG) 3. Limited Partnership (KG) 4. Limited Partnership with a Limited Liability Company as a general Partner (GmbH & Co. KG) 5. Limited Liability Company (GmbH) 6. In a nutshell: Joint-Stock Company (AG), Partnership limited by Shares (KGaA), European Corporate Law 		
Learning Outcomes / Competences: The aim is to understand corporate law. This includes knowledge and classification of the forms of companies as well as the distinction between partnerships and corporations. The following aspects of the respective companies are dealt with: Concept and characteristics, internal relationship, external relationship, termination, withdrawal and change of shareholders. Students understand the basic principles of corporate law and know the differences between partnerships and corporations. They are able to link knowledge from the BGB-AT and the law of obligations with what they have learned and to apply it independently in case work. The relevant case law is explained and integrated into theoretical context.		
Conditions: The course assumes a sound knowledge of general civil law (General Part of the German Civil Code, law of obligations).		Credit Requirements: Passing the module exam
Frequency: each summer semester	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 3	Repeat Exams Permitted: none	

Parts of the Module
Part of the Module: <i>Gesellschaftsrecht (Recht der Personengesellschaften)</i>
Language: German
Literature: <ol style="list-style-type: none"> 1. Textbooks (in the respective current editions) <ul style="list-style-type: none"> • Grunewald: Gesellschaftsrecht; • Kindl: Gesellschaftsrecht; • Kindler: Grundkurs Handels- und Gesellschaftsrecht; • Windbichler: Gesellschaftsrecht. 2. Case collections (in the respective current editions) <ul style="list-style-type: none"> • Armbrüster: Fallsammlung zum Gesellschaftsrecht; • Lettl: Fälle zum Gesellschaftsrecht; • Schöne: Fälle zum Handels- und Gesellschaftsrecht Bd. 1;

Examination Gesellschaftsrecht (Recht der Personengesellschaften) oral exam, graded

Module JUR-8006: Employment Law <i>Arbeitsvertragsrecht</i>		6 ECTS/LP
Version 1.0.0 Person responsible for module: Prof. Dr. Martin Maties		
Contents: § 1 Introduction § 2 Concept of employment relationship and employee § 3 Creation of an Employment Relationship § 4 Transfer of Employment Relationships (§ 613a BGB) § 5 Content of an Employment Relationship § 6 Disruptions of Employment Relationship § 7 Change of employment conditions § 8 Termination of an Employment Relationship § 9 Overview of Labor Court Proceedings § 10 Overview of Labor Protection § 11 Overview of Collective Labor Law § 12 Overview of Corporate Co-Determination § 13 Selected Problems at the Interfaces with Social Law		
Learning Outcomes / Competences: Students should become familiar with the various legal sources of labor law and be enabled to apply them competently in the context of legal case solutions. They will learn to classify typical life situations from business practice in terms of labor law and to solve them with the appropriate legal instruments.		
Conditions: Basic knowledge of German civil law		Credit Requirements: Passing the module exam
Frequency: each summer semester	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 2	Repeat Exams Permitted: none	
Parts of the Module		
Part of the Module: Arbeitsvertragsrecht Language: German		
Literature: Textbooks in the current editions, e.g.: <ul style="list-style-type: none"> • Maties, Arbeitsrecht; • Junker, Grundkurs Arbeitsrecht. 		
Assigned Courses: Arbeitsvertragsrecht (lecture) **		
Examination Arbeitsvertragsrecht oral exam, graded		

Module JUR-8007: Law of Succession <i>Erbrecht</i>		6 ECTS/LP
Version 1.0.0 (since SoSe23) Person responsible for module: Prof. Dr. Phillip Hellwege		
Contents: I. Introduction II. Intestate succession III. Testamentary dispositions IV. Legal consequences of succession		
Learning Outcomes / Competences: Upon completion of the course, students will be able to solve simple succession cases.		
Conditions: none		Credit Requirements: Passing the module exam
Frequency: each summer semester	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 2	Repeat Exams Permitted: none	
Parts of the Module		
Part of the Module: <i>Erbrecht</i> Mode of Instruction: lecture Lecturers: Prof. Dr. Phillip Hellwege Language: German Contact Hours: 2 ECTS Credits: 6.0		
Literature: Dieter Leipold, <i>Erbrecht</i> , 23. Auflage, 2022.		
Assigned Courses: Erbrecht (lecture) **		
Examination Erbrecht oral exam / length of examination: 15 minutes, graded		

Module JUR-8010: International Civil Procedure <i>Internationales Zivilverfahrensrecht</i>		6 ECTS/LP
Version 1.1.0 (since SoSe23) Person responsible for module: Prof. Dr. Tobias Lutzi		
Contents: The course provides an introduction into the law of cross-border civil procedure from a German and European perspective. It focusses on the law of international jurisdiction and the rules on the recognition and enforcement of foreign judgments. The course is designed to complement the Introduction to Private International Law.		
Learning Outcomes / Competences: Upon completion of the course, students will be familiar with the relevant rules and instruments governing civil procedure in cross-border cases.		
Conditions: none		Credit Requirements: Passing the module exam
Frequency: each winter semester	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 2	Repeat Exams Permitted: none	
Parts of the Module		
Part of the Module: Internationales Zivilverfahrensrecht Mode of Instruction: lecture Lecturers: Prof. Dr. Tobias Lutzi Language: German		
Literature: Junker, Internationales Zivilprozessrecht (5th ed., Beck 2020) Van Calster, European Private International Law (3rd ed., Hart 2021)		
Examination Internationales Zivilverfahrensrecht oral exam, graded		

Module JUR-8011: European Private Law <i>Europäisches Privatrecht</i>		6 ECTS/LP
Version 1.0.0 Person responsible for module:		
Conditions: none		Credit Requirements: Bestehen der Modulprüfung
Frequency: annually	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 2	Repeat Exams Permitted: none	

Parts of the Module**Part of the Module: Europäisches Privatrecht****Language:** German**Frequency:** each summer semester**Contact Hours:** 2**ECTS Credits:** 6.0**Examination****Europäisches Privatrecht**

written exam, graded

Module JUR-8012: International Arbitration <i>Internationale Schiedsverfahren</i>		6 ECTS/LP
Version 1 Person responsible for module: Prof. Dr. Tobias Lutzi		
Conditions: none		Credit Requirements: Bestehen der Modulprüfung
Frequency: each summer semester not before Summer 2024	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 2	Repeat Exams Permitted: none	

Parts of the Module
Part of the Module: Internationale Schiedsverfahren Language: German Contact Hours: 2 ECTS Credits: 6.0

Examination Internationale Schiedsverfahren written exam, graded
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Module JUR-8013: Compliance (Basics) <i>Compliance (Grundlagen)</i>		9 ECTS/LP
Version 1.2.0 Person responsible for module: Prof. Dr. Thomas Möllers Dr. Franz Leisch, Dr. Nadja Groß		
Learning Outcomes / Competences: After attending the course, students will be able to understand the legal and economic foundations of corporate compliance. They have an overview of the main areas of compliance, the basic requirements of a compliance organization and the legal requirements of a compliance organization. This includes the topics of structure of a compliance organization, basics of anti-corruption compliance, basics of money laundering compliance, basics of antitrust law compliance and basics of labor law compliance. The link between compliance, risk management and internal control systems is addressed and students learn to analyze compliance risks of business partners. Students gain an overview of compliance aspects in M&A transactions as well as the essential legal aspects concerning internal investigations, rules of conduct, employee surveys, whistleblowing, termination in case of compliance violations and the position of a compliance officer.		
Conditions: none		Credit Requirements: Passing the module exam
Frequency: each summer semester	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 3	Repeat Exams Permitted: none	
Parts of the Module		
Part of the Module: Compliance (Grundlagen) Language: German Contact Hours: 3 ECTS Credits: 9.0		

Contents:

I. Introduction to Corporate Compliance

1. Overview
2. Corporate Governance, Compliance, Risk Management - Distinction
3. Legal foundations of compliance
4. The law on association sanctions
5. Economic basics of compliance
6. Main areas of compliance - overview

II Requirements for Compliance Organizations in Companies

1. Responsibility of corporate management
2. Guiding principles
3. Issues (Prevent - Detect - Respond)
4. Issues of organizational structure / process organization
5. Exercise: Analysis of Code of Conducts and drafting of an own Code of Conduct
6. Exercise: Introduction of a Compliance Organization: Planning and Implementation

III. Internal Control System, Risk Management and Compliance

1. Legal basics of the internal control system (ICS)
2. Compliance risk management
3. Models: COSO and Three Lines of Defense

IV. Anti-corruption compliance

1. Legal framework
2. Case studies
3. Development of an anti-corruption policy

V. Occupational Fraud (Fraud Compliance)

1. Manifestations
2. Empirical data
3. Measures

VI Prevention of Money Laundering

1. Legal framework
2. Empirical data
3. Case studies

VII. Antitrust compliance - overview

VIII. Internal Investigations

1. Legal framework
2. Structuring an internal investigation
3. Conducting an interview - questioning techniques

IX. Compliance in the context of mergers & acquisitions

1. Legal framework
2. Case studies
3. Approach
4. Exercise: planning and execution of a compliance due diligence in the run-up to a company acquisition

X. Labor law compliance

1. Rules of conduct (code of conduct)
2. Employee surveys
3. Whistleblowing
4. Dismissal after compliance violations
5. Position of the compliance officer

Literature:

in den jeweils aktuellen Auflagen:

- Bürkle/Hauschka, Der Compliance Officer;
- Veit, Compliance und interne Ermittlungen;
- Fissenewert, Compliance für den Mittelstand;
- Moosmayer, Compliance;
- Thüsing/Nolde, Beschäftigtendatenschutz und Compliance.

Aktuelle Ausgaben der einschlägigen Fachzeitschriften z.B. Compliance Berater (CB) und Corporate Compliance Zeitschrift (CCZ)

Assigned Courses:

Compliance (lecture)

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Examination

Compliance (Grundlagen)

written exam, graded

Module JUR-8014: Corporate Law <i>Aktien- und GmbH-Recht</i>		6 ECTS/LP
Version 1.0.0 Person responsible for module: Prof. Dr. Michael Kort		
Learning Outcomes / Competences: The subject of the lecture is the law of the joint-stock company and the law of the limited liability company. The choice of the legal form, the foundation of the company, the membership in the company as well as the organizational structure of the company with special attention to the competences of the respective institutions (boards etc.) are dealt with. After attending the course, students will be able to understand the nature of a joint-stock company and a limited liability company, to distinguish between the two legal forms and to legally evaluate corresponding case scenarios.		
Workload: Total: 120 h		
Conditions: The course will be held in German, therefore German language skills are a prerequisite. Knowledge of commercial and partnership law is an advantage. Participants should gain an overview of the content to be covered and follow current developments in corporate law.		Credit Requirements: Passing the module exam
Frequency: each winter semester	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 2	Repeat Exams Permitted: none	
Parts of the Module		
Part of the Module: Aktien- und GmbH-Recht Mode of Instruction: lecture Lecturers: Prof. Dr. Michael Kort Language: German Contact Hours: 2 ECTS Credits: 6.0		

Contents:

I. Law of the joint-stock company:

- choice of legal form,
- formation,
- liability upon formation,
- bylaws of the joint-stock company,
- capital maintenance and capital replacement,
- shares and membership,
- management board,
- supervisory board,
- general meeting.

II. Law of the limited liability company:

- choice of legal form,
- foundation phases of the limited liability company,
- capital maintenance and capital replacement,
- contributions in kind,
- loss and transfer of membership,
- articles of association,
- managing director,
- general meeting of shareholders

III. European Company (SE)

IV. KGaA

V. Registered cooperative

Literature:

Textbooks in the current editions, e.g.:

- Windbichler, Christine, Gesellschaftsrecht;
- Eisenhardt/Wackerbarth: Gesellschaftsrecht II – Recht der Kapitalgesellschaften;
- Hirte, Kapitalgesellschaftsrecht.

Examination

Aktien- und GmbH-Recht

written exam / length of examination: 120 minutes, graded

Module JUR-8015: Anti-discrimination Law and Non-standard Employment Relationships <i>Antidiskriminierungsrecht und atypische Beschäftigungsverhältnisse</i>		6 ECTS/LP
Version 1.0.0 Person responsible for module: Prof. Dr. Martin Maties		
Contents: The students learn the most important basics of the law of atypical employment and anti-discrimination law. The focus here is on the most important rights of employees in the event of violations of prohibitions of discrimination and the protective regulations for the forms of employment of part-time, fixed-term and temporary work, which are becoming more and more common. This is supplemented by an overview of important training relationships.		
Learning Outcomes / Competences: The students are put in a position to assess the consequences of the respective to be able to assess the consequences of the respective forms of employment in practice.		
Workload: Total: 180 h		
Conditions: Basic knowledge of European law is required. Knowledge of labor law is an advantage.		Credit Requirements: Passing the module exam
Frequency: each winter semester	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 2	Repeat Exams Permitted: none	

Parts of the Module
Part of the Module: Antidiskriminierungsrecht und atypische Beschäftigungsverhältnisse Mode of Instruction: lecture Lecturers: Prof. Dr. Martin Maties Language: German Contact Hours: 2 ECTS Credits: 6.0
Contents: § 1 Introduction (Fundamentals) § 2 Protection against Discrimination § 3 Atypical Forms of Employment (Concept and Origin of Legal Sources) § 4 Part-time employment § 5 Fixed-term contracts § 6 Temporary employment § 7 Training law (brief overview)

Literature:

Textbooks:

- Junker, Grundkurs Arbeitsrecht, 21. Aufl. 2022
- Handbuch Neue Beschäftigungsformen, Blanke/Schüren/ Wank/Wedde, 2002

Commentaries:

- Erfurter Kommentar zum Arbeitsrecht, 22. Aufl. 2022.
- Henssler/Willemsen/Kalb, Arbeitsrecht Kommentar, 10. Aufl. 2022
- Franzen/Gallner/Oetker, Kommentar zum europäischen Arbeitsrecht, 3. Auflage 2015
- MüKO-BGB, Band 1, 9. Auflage 2021
- Bauer/Krieger/Günther, Allgemeines Gleichbehandlungsgesetz und Entgelttransparenzgesetz: AGG/EntgTranspG, 5. Auflage 2018
- von Roetteken, Allgemeines Gleichbehandlungsgesetz – AGG, Loseblatt
- Wendeling-Schröder/Stein, Allgemeines Gleichbehandlungsgesetz: AGG, 2008
- Meinel/Heyn/Herms, Allgemeines Gleichbehandlungsgesetz: AGG, 2. Auflage 2010 (vergriffen, kein Nachdruck)
- Däubler/Bertzbach, Allgemeines Gleichbehandlungsgesetz, 5. Auflage 2021
- Hey/Forst, AGG – Allgemeines Gleichbehandlungsgesetz, 2. Auflage 2015
- Adomeit/Mohr, Allgemeines Gleichbehandlungsgesetz (AGG), 2. Auflage 2011
- Schleusener/ Suckow/ Plum, AGG, 5. Auflage 2019
- Dickerhof-Borello/ Nollert-Borasio/ Wenckebach, Allgemeines Gleichbehandlungsgesetz (AGG), 5. Auflage 2019
- Wersig, Fälle zum Allgemeinen Gleichbehandlungsgesetz (AGG), 2017
- Meinel/Heyn/Herms, Teilzeit- und Befristungsgesetz: TzBfG, 5. Auflage 2015
- Boecken/ Jousen, Teilzeit- und Befristungsgesetz: TzBfG, 6. Auflage 2019
- Bieder/Sagan/Spelge, Teilzeit- und Befristungsgesetz: TzBfG, 3. Auflage 2022
- Sievers, TzBfG, 6. Auflage 2018
- Thüsing, Arbeitnehmerüberlassungsgesetz: AÜG, 4. Auflage 2018
- Schüren/Hamann, Arbeitnehmerüberlassungsgesetz: AÜG, 5. Auflage 2018
- Urban-Crell/Germakowski/Bissels/Hurst, AÜG, 3. Auflage 2017
- Sandmann/Marschall, Arbeitnehmerüberlassungsgesetz (AÜG), Loseblattwerk mit Aktualisierungen
- Ulber, AÜG, 5. Auflage 2017
- Ulrici, AÜG, 2017
- Ulber/Ulber, Arbeitnehmerüberlassungsgesetz, 3. Auflage 2020
- Boemke/Lembke, AÜG - Arbeitnehmerüberlassungsgesetz, 4. Auflage 2022

Handbooks:

- Münchener Handbuch zum Arbeitsrecht, 5. Aufl. 2021
- Schaub, Arbeitsrechts-Handbuch, 19. Aufl. 2021
- Hanau/Steinmeyer/Wank, Handbuch zum Europäischen Arbeits- und Sozialrecht, 2002

Examination

Antidiskriminierungsrecht und atypische Beschäftigungsverhältnisse

oral exam / length of examination: 20 minutes, graded

Module JUR-8016: Introduction to International Private Law <i>Internationales Privatrecht</i>		6 ECTS/LP
Version 1.0.0 Person responsible for module: Prof. Dr. Leonhard Hübner		
<p>Contents:</p> <p>The rules of Private International Law, a body of law also known as conflict of laws, address legal problems that arise when a court has to decide a dispute that involves a cross-border element. Such an element may arise when the dispute has contacts with more than one sovereign state or with different states within a federation. In such disputes, the judge has to decide according to which law the case must be decided (local law, foreign law, uniform law?). Private international law deals with a variety of topics, such as contracts, marriage and divorce, jurisdiction, and recognition of foreign judgments. As a result of globalization, the prominence of private international law has steadily increased over the last years. Lawyers dealing with international transactions must therefore possess at least a basic knowledge of this area of law. The course "Internationales Privatrecht I" focuses, inter alia, on the question of the applicable law in contract, tort and succession cases, whereas the issues of (adjudicatory) jurisdiction as well as recognition and enforcement of judgments are treated primarily in the course "Internationales Zivilverfahrensrecht"</p>		
<p>Learning Outcomes / Competences:</p> <p>Upon completion of the course, students will be able to determine the law applicable to simple cases involving foreign countries.</p>		
<p>Workload:</p> <p>Total: 180 h 80 h studying of course content using provided materials (self-study) 79 h studying of course content using literature (self-study) 21 h lecture (attendance)</p>		
<p>Conditions:</p> <p>Knowledge of the basics in private law and European Law</p>		<p>Credit Requirements:</p> <p>Passing the module exam</p>
<p>Frequency: each winter semester</p>	<p>Recommended Semester:</p> <p>1. - 3.</p>	<p>Minimal Duration of the Module:</p> <p>1 semester[s]</p>
<p>Contact Hours:</p> <p>2</p>	<p>Repeat Exams Permitted:</p> <p>none</p>	
<p>Parts of the Module</p>		
<p>Part of the Module: Internationales Privatrecht</p> <p>Mode of Instruction: lecture Language: German Contact Hours: 2 ECTS Credits: 6.0</p>		
<p>Literature:</p> <p>Textbooks in current editions, e.g.:</p> <ul style="list-style-type: none"> • Junker, Internationales Privatrecht, 5th ed. 2022 (in German) • van Calster, European Private International Law (in English) 		
<p>Examination</p> <p>Internationales Privatrecht</p> <p>written exam, Alternatively, an oral exam can be offered for Erasmus students upon request / length of examination: 120 minutes, graded</p> <p>Test Frequency:</p> <p>when a course is offered</p>		

Module JUR-8017: Historical Foundations of the European Legal Systems <i>Historische Grundlagen der Europäischen Rechtsordnungen</i>		6 ECTS/LP
Version 1 Person responsible for module: Prof. Dr. Christoph Becker		
Conditions: none		Credit Requirements: Bestehen der Modulprüfung
Frequency: irregular (usu. winter semester)	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 2	Repeat Exams Permitted: none	

Parts of the Module**Part of the Module: Historische Grundlagen der Europäischen Rechtsordnungen****Mode of Instruction:** lecture**Lecturers:** Prof. Dr. Christoph Becker**Language:** German**Contact Hours:** 2**ECTS Credits:** 6.0**Examination****Historische Grundlagen der Europäischen Rechtsordnungen**

oral exam, graded

Module JUR-8018: Roman Legal History and Roman Private Law <i>Römische Rechtsgeschichte und römisches Privatrecht</i>		6 ECTS/LP
Version 1.0.0 Person responsible for module: Prof. Dr. Phillip Hellwege		
Conditions: none		Credit Requirements: Bestehen der Modulprüfung
Frequency: irregular (usu. winter semester)	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 2	Repeat Exams Permitted: none	

Parts of the Module
Part of the Module: Römische Rechtsgeschichte und römisches Privatrecht Language: German Contact Hours: 2 ECTS Credits: 6.0

Examination Römische Rechtsgeschichte und römisches Privatrecht oral exam, graded

Module JUR-8019: Philosophy of Law <i>Rechtsphilosophie</i>		6 ECTS/LP
Version 1.0.0 Person responsible for module: Prof. Dr. Peter Kasiske		
Conditions: none		Credit Requirements: Bestehen der Modulprüfung
Frequency: irregular (usu. winter semester)	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 2	Repeat Exams Permitted: none	

Parts of the Module**Part of the Module: Rechtsphilosophie II, SP IX****Language:** German**Contact Hours:** 2**ECTS Credits:** 6.0**Examination****Rechtsphilosophie**

oral exam, graded

Module JUR-8020: Labor Law and Collective Bargaining Law <i>Koalitions-, Tarif- und Arbeitskampfrecht</i>		6 ECTS/LP
Version 1.0.0 Person responsible for module: Prof. Dr. Michael Kort		
Contents: The lecture deals with the main pillars of collective labor law. First, the conceptual characteristics of coalition are taught, in order to deal with the content of freedom of association in a further step. Further, the students will get to know the organization and legal form of trade unions on the one hand and employers' associations on the other hand. The students will learn about the importance of collective agreements and the effects of individual regulations. The students will know the limits of the obligation of the collective agreement ("Tarifbindung") and the limits of the validity of the collective agreement ("Tarifgeltung"). The students learn which industrial action measures can be used to exert pressure on the other side in the event that a collective agreement is not reached and under which conditions these are lawful.		
Learning Outcomes / Competences: After participating in the course, students will be able to legally evaluate collective labor law issues.		
Workload: Total: 180 h 74 h studying of course content using provided materials (self-study) 74 h studying of course content using literature (self-study) 32 h lecture (attendance)		
Conditions: A solid knowledge of individual labor law is an advantage. For a better understanding of the course, it is also advisable to follow the daily events in collective labor law over a certain period of time.		Credit Requirements: Passing the module exam
Frequency: each winter semester	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 2	Repeat Exams Permitted: according to the examination regulations of the study program	

Parts of the Module
Part of the Module: <i>Koalitions-, Tarif- und Arbeitskampfrecht</i> Mode of Instruction: lecture Language: German Contact Hours: 2 ECTS Credits: 6.0
Contents: Law of coalition: concept of coalition, freedom of association, associations on employee/employer side Collective bargaining law: content and parties to collective bargaining agreements, collective bargaining standards, obligation/validity of the collective agreement Law of industrial action: basics, legality and legal consequences of industrial action
Literature: Textbooks in current editions, e.g.: <ul style="list-style-type: none"> • Hromadka/Maschmann, Arbeitsrecht, Band 2; • Junker, Grundkurs Arbeitsrecht; • Richardi/Bayreuther, Kollektives Arbeitsrecht; • Jacobs/Krois, Klausurenkurs im Arbeitsrecht II.

Examination

Koalitions-Tarif-und Arbeitskampfrecht

oral exam / length of examination: 20 minutes, graded

Module JUR-8021: German and European Capital Markets Law <i>Deutsches und europäisches Kapitalmarktrecht</i>		6 ECTS/LP
Version 1.0.0 (since WS23/24) Person responsible for module: Prof. Dr. Thomas Möllers		
Contents: Students receive a comprehensive overview of German and European capital market law with its underlying economic policy aspects. They learn how to deal with the terminology and, by working on and discussing cases, how to apply the knowledge they have acquired to capital market law case constellations. In particular, the areas of stock exchange law, securities trading law and securities prospectus law, as well as capital investment law, will be jointly examined and developed in a structured manner on the basis of trend-setting examples from recent case law. But also marginal areas such as the general prospectus liability are also discussed.		
Conditions: none		Credit Requirements: Passing the module exam
Frequency: each winter semester	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 2	Repeat Exams Permitted: none	
Parts of the Module		
Part of the Module: Deutsches und europäisches Kapitalmarktrecht		
Mode of Instruction: lecture Lecturers: Prof. Dr. Thomas Möllers Language: German Frequency: each summer semester Contact Hours: 2 ECTS Credits: 6.0		
Contents: <ol style="list-style-type: none"> 1. Fundamentals of European Capital Market Law 2. Structural issues of capital market law 3. The Market Abuse Regulation (MAR) 4. The German Securities Trading Act (WpHG) 5. Information duties of the WpHG (§§ 33 ff. WpHG) 6. Duties of conduct for securities service providers (Sections 63 et seq. WpHG) 7. Duties for analysts and rating agencies (Rating Regulation) 8. Supervision by public law 9. The Capital Investor Model Case Act (KapMuG) and the draft of the 10. Capital Market Information Liability Act (KapInHaG) 11. The German Securities Acquisition and Takeover Act (WpÜG) 12. The Stock Exchange Act (BörsG), Securities Prospectus Act (WpPG) and Sales Prospectus Act (VerkProspG) 13. The new German Investment Code (KAGB) 		
Literature: Textbooks in the respective current editions, e.g.: <ul style="list-style-type: none"> • Buck-Heeb, Petra, Kapitalmarktrecht; • Langenbacher, Katja, Stock Corporation and Capital Market Law; • Lenenbach, Markus, Capital Market Law; • Grunewald, Barbara/Schlitt, Michael, Einführung in das Kapitalmarktrecht; • Hirte, Heribert/ Möllers M.J. Thomas (eds.): Cologne Commentary on the WpGH. 		

Examination

Deutsches und europäisches Kapitalmarktrecht

written exam / length of examination: 2 hours, graded

Module JUR-8022: Compliance in Corporate Practice <i>Compliance in der Unternehmenspraxis</i>		6 ECTS/LP
Version 1.0.0 (since WS23/24) Person responsible for module: Prof. Dr. Thomas Möllers Dr. Steffen Nolte		
Learning Outcomes / Competences: Students gain an overall understanding of the compliance risks to which a commercial enterprise is exposed. This applies to companies operating in Germany or internationally in local markets, whether in Europe or worldwide. Special features of so-called high-risk countries are also dealt with (e.g. BRICS countries). They will learn to recognize typical compliance risks on the basis of certain warning signals (so-called red flags) and to master the necessary instruments for short- and long-term organizational measures to reduce these risks in the long term. Particular attention is paid to the essential building blocks of a risk-based and robust compliance management system (CMS). Seven fundamental compliance principles serve to sustainably prevent corruption risks. These principles are scalable and tailorable to large corporations as well as medium-sized companies. In addition, the practical examples are always embedded in the context of current legal-political developments (e.g. Russia or Iran sanctions) as well as in the context of other compliance fields such as Anti Financial Crime like Sanctions Compliance, Anti Money Laundering and Export Control or Human Rights, ESG or Technical Compliance. This comprehensive approach equally prepares students to make their career choice for companies of different sizes or for consulting practice.		
Conditions: English text comprehension, basic knowledge of German criminal law helpful.		Credit Requirements: Passing the module exam
Frequency: each winter semester	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 2	Repeat Exams Permitted: none	
Parts of the Module		
Part of the Module: Compliance in der Unternehmenspraxis		
Mode of Instruction: lecture		
Language: German		
Contact Hours: 2		
ECTS Credits: 6.0		
Contents: Case studies from corporate practice are used to work out how the road to corporate crisis leads when integrity and compliance remain empty words of corporate management. Various case studies on corruption risks make it clear: in addition to a risk-based and robust compliance management system, the right inner attitude of management and the corporate culture are "half the battle" when it comes to effectively reducing potentially existence-threatening risks for a company. This is especially true for business in an international environment and in different cultures. This is because the liability consequences of accusations of possible compliance violations, regardless of their origin, affect not only directors, managers and employees, but also all stakeholders in the company's environment, such as contractual partners, banks or investors. Cases of large Dax companies as well as German medium-sized companies operating on the international stage impressively prove this time and again. Against this background, the following topics will be discussed: <ol style="list-style-type: none">1. Liability facts and risks, especially for export-oriented companies2. Legal and corporate policy dimensions of corruption prevention3. Liability consequences and reputation risks4. Integrity and compliance in corporate governance of a company5. Elements of risk-based and robust compliance management systems6. Entrepreneurial aspects of integrity and compliance		

Lehr-/Lernmethoden:

The lecture is held as a block course (in the winter semester) and according to the Socratic method, i.e. in a discussion between the students and the lecturer about practical case studies and concrete questions. In this way, risks and solution approaches are worked out together and, in addition to the basic knowledge of the content, practically important soft skills for a convincing presentation of affected compliance risks as well as their mitigation and remediation are practiced. In this way, the necessary tools for a convincing exchange with relevant stakeholders in companies (e.g. management) or in the consulting practice (e.g. clients) will be imparted, which is of crucial importance for a successful professional practice.

Literature:

in the respective current editions:

- Hauschka (ed.), Corporate Compliance;
- Passarge/Behringer (eds.), Handbuch Compliance International;
- Ghassemi-Tabar/Pauthner/Wilsing (eds.), Corporate Compliance Praxisleitfaden für die Unternehmensführung.

Examination

Compliance in der Unternehmenspraxis

written exam / length of examination: 2 hours, graded

Description:

For Erasmus students, an oral exam is offered as an alternative to the written exam, if desired.

Module JUR-8101: Criminal Law 1 (General Part) <i>Strafrecht 1 (Allgemeiner Teil)</i>		12 ECTS/LP
Version 1.0.0 Person responsible for module: Prof. Dr. Johannes Kaspar		
<p>Contents:</p> <p>The German Criminal Code is divided into the general part, which contains fundamental principles applicable to all offences, and the special part, which describes individual offences such as theft (§ 242 StGB).</p> <p>In this module, students learn about the general part of criminal law. Through an introduction to the overall system of state punishment, in particular the theories of punishment, students will first understand the context and purpose of punishment.</p> <p>Furthermore, the structure of the different types of offences and their differentiation (inter alia) into offences of acting and omission, the distinction between completion and attempt as well as intentional and negligent acting are introduced.</p> <p>In addition, they will get to know the problems of the general part of criminal law based on cases of assault and homicide. In order to fully elaborate on these topics, the students will solve short exercise cases.</p> <p>Among others, the problems covered include justificatory and excusatory defenses as well as the doctrine of error and problems of instigation and participation. Throughout the lecture, many landmark BGH decisions concerning different topics will be addressed.</p>		
Learning Outcomes / Competences:		
The aim of this course is to provide students with a basic understanding of German criminal law. The participants of the module will become familiar with the techniques of assessing criminal liability in certain cases, which includes knowledge of the structure of offence and the specific style of a legal expert opinion (Gutachtenstil). In addition, basic methodological skills are taught in order to train the handling of hitherto unknown legal problems.		
Conditions: none		Credit Requirements: Passing the module exam
Frequency: each winter semester	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 4	Repeat Exams Permitted: none	
Parts of the Module		
<p>Part of the Module: Strafrecht 1 (Allgemeiner Teil)</p> <p>Mode of Instruction: lecture</p> <p>Lecturers: Prof. Dr. Johannes Kaspar</p> <p>Language: German</p> <p>Contact Hours: 4</p> <p>ECTS Credits: 12.0</p>		

Contents:

Part 1: Basics

- § 1: Content, task and purpose of state punishment
- § 2: The principle of legality
- § 3: The classification of offences
- § 4: The concept of action under criminal law
- § 5: The structure of offences (offence - unlawfulness - guilt)
- § 6: Introduction to the subsumption technique using the example of the offence of assault

Part 2: The elements of the offence of intentional commission

- § 1: Actus reus (= objektiver Tatbestand)
- § 2: Mens rea (= subjektiver Tatbestand)
- § 3: Objective conditions of punishability

Part 3: General unlawfulness

- § 1: Basics
- § 2: Self-defence (§ 32 StGB)
- § 3: Necessity (§ 34 StGB; §§ 228, 904 BGB)
- § 4: Consent, presumed consent and hypothetical consent
- § 5: Right of arrest (§ 127 I StPO).

Part 4: Guilt

- § 1: Basics
- § 2: Culpability and actio libera in causa
- § 3: Excess of self-defence (§ 33 StGB)
- § 4: Excusable necessity (§ 35 StGB) and supra-legal excusable necessity.

Part 5: Doctrine of error

- § 1: Basics
- § 2: Mistake of law (Verbotsirrtum)
- § 3: Special problem: mistake as to the law of permissibility (= Erlaubnistatbestandsirrtum)

Part 6: Perpetration and participation

- § 1: Basics
- § 2: Complicity and indirect perpetration
- § 3: Instigation and aiding and abetting

Part 7: Attempt and Withdrawal

- § 1: Basics
- § 2: The prerequisites of criminal attempt
- § 3: Withdrawal from the attempt

Part 8: Negligent Offences

- § 1: Basics
- § 2: Structure of negligent offences

Part 9: The Offence of Omission

- § 1: Basics
- § 2: Structure of the non-genuine offence of omission

Literature:

Textbooks in the current editions, e.g.:

- *Wessels/Beulke/Satzger*, Strafrecht Allgemeiner Teil
- *Roxin/Greco*, Strafrecht Allgemeiner Teil, Band 1
- *Kaspar*, Strafrecht – Allgemeiner Teil
- *Kaspar/Reinbacher*, Casebook Strafrecht Allgemeiner Teil

Examination

Strafrecht 1 (Allgemeiner Teil)

oral exam / length of examination: 30 minutes, graded

Module JUR-8102: Criminal Law 2 (Special Part, Offenses against the Person, Offenses against Property) <i>Strafrecht 2 (Besonderer Teil, Delikte gegen die Person, Vermögensdelikte)</i>		12 ECTS/LP
Version 1.0.0 Person responsible for module: Prof. Dr. Johannes Kaspar		
Contents: The lecture deals with the Special Part of the German Criminal Code, in which the individual offenses are regulated. Topics are in particular the offenses against the person (e.g. murder, bodily injury or coercion) as well as the offenses against property and assets (e.g. theft, fraud, robbery and extortion). Participants will learn about the criminal policy background, the structure and the specific problems of interpretation of the individual offenses and will receive an overview of the most important court decisions and literature opinions that have been issued in this area. In case discussions accompanying the lecture, the participants learn to apply the knowledge from the lecture in solving practical cases.		
Learning Outcomes / Competences: The participants get to know the structure of the most important offenses from the Special Part and can apply this knowledge in solving practical cases.		
Conditions: none		Credit Requirements: Passing the module exam
Frequency: each summer semester	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 4	Repeat Exams Permitted: none	
Parts of the Module		
Part of the Module: Grundkurs Strafrecht 2 Mode of Instruction: lecture Lecturers: Prof. Dr. Peter Kasiske Language: German Contact Hours: 4 ECTS Credits: 12.0		
Literature: <ul style="list-style-type: none"> • Rengier, Strafrecht BT I, 24. Aufl. 2022 • Rengier, Strafrecht BT II, 23. Aufl. 2022 • Wessels/Hettinger/Engländer, Strafrecht Besonderer Teil 1, 46. Aufl. 2022 • Wessels/Hillenkamp/Schuh, Strafrecht Besonderer Teil 2, 45. Aufl. 2022 		
Assigned Courses: Grundkurs Strafrecht II (lecture) **		
Examination Grundkurs Strafercht 2 oral exam / length of examination: 20 minutes, graded		

Module JUR-8105: Criminology <i>Kriminologie</i>		6 ECTS/LP
Version 1.0.0 (since SoSe23) Person responsible for module: Prof. Dr. Johannes Kaspar		
Contents: This course deals with the basic concepts and essential fundamental questions of criminology as an interdisciplinary science concerned with issues of law-making, law-breaking behavior and its explanation, as well as societal responses to norm-breaking and the control and prevention of crime. Topics covered include: Concept of crime; prevalence and development of crime in the light and dark fields; importance of age and gender, juvenile delinquency; criminological theories; social control, sanction effects and prevention; sanction attitudes and fear of crime; victimology; white-collar and organized crime; cyber and hate crime.		
Conditions: none		Credit Requirements: Passing the module exam
Frequency: each summer semester	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 2	Repeat Exams Permitted: none	
Parts of the Module		
Part of the Module: Kriminologie Mode of Instruction: lecture Language: German Contact Hours: 2 ECTS Credits: 6.0		

Contents:

§ 1 Concept of criminology

- Concept and subject of criminology

§ 2 History of criminology

- Development and status quo of criminology

§ 3 Theories of crime

- Overview of the theories of crime
- Personality-oriented theories of crime
- Sociological theories of crime
- Social psychological theories of crime
- Multifactor approaches
- Integrative theories
- Role play

§ 4 Criminological research methods

- Basics of empirical social research
- Quantitative methods
- Qualitative methods
- Evaluation methods
- Problems in empirical-criminological studies

§ 5 Criminal social control

- System of criminal social control
- Strategies of criminal social control on the basis of concrete example cases
- Selectivity of criminal law control

§ 6 Criminal prognosis

- Problems in predicting criminal behavior.
- prognostic factors
- Prognostic methods

§ 7 Statistical findings on crime

- Crime statistics and their significance
- Extent, structure and development of registered crime
- Dark field research

§ 8 Victimology (with guest lecturer *Dr. Isabel Kratzer-Ceylan, Lawyer/Trauma counselor*)

- Definition
- Frequency of victimization experiences
- Victimological theories
- Fear of crime and crime paradox
- Victim situation after the crime

§ 9 Presentation of selected crime areas (with guest lecturer *Camilla Braat LL.M., Judge, seconded to EUROJUST*)

- Terrorism/Organized Crime
- Crime and Law Enforcement in Europe
- Violent Crime
- Economic crime
- Juvenile delinquency
- Personality dimensions and social profiles of multiple offenders
- Age-related crime
- Female criminality
- Cybercrime
- Hate crime

Literature:

Textbooks in the current editions, e.g.:

- Bock, M.: Kriminologie
- Göppinger, H.: Kriminologie
- Kaspar, J.: § 19 (Grundlagen der Kriminologie) und § 20 (Kriminologische Forschungsfelder), in: Hilgendorf, E. u.a. (Hrsg.), Handbuch des Strafrechts. Band 1
- Meier, B. D.: Kriminologie
- Neubacher, F.: Kriminologie
- Schwind, H.-D.: Kriminologie und Kriminalpolitik. Eine praxisorientierte Einführung mit Beispielen
- Höffler, K./Kaspar, J.: Examinatorium Schwerpunkt Strafrecht
- Kaiser, G./Schöch, H./Kinzig, J.: Kriminologie, Jugendstrafrecht, Strafvollzug. Juristischer Studienkurs. 8. Aufl., München 2020
- Laubenthal, K.: Fallsammlung zu Kriminologie, Jugendstrafrecht, Strafvollzug
- Klimke, D./Legnaro, A.: Kriminologische Grundlagentexte

Assigned Courses:

Kriminologie, SP V (lecture)

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Examination

Kriminologie

oral exam / length of examination: 20 minutes, graded

Module JUR-8106: European and International Criminal Law <i>Europäisches und Internationales Strafrecht</i>		9 ECTS/LP
Version 1.0.0 Person responsible for module: Prof. Dr. Peter Kasiske		
Contents: The course provides an introduction to the international aspects of criminal law. The first part of the course deals with jurisdiction of the German criminal law. Is German law applicable if the perpetrator is not a German citizen or a crime is committed by a German citizen abroad? The second part is about the legislative competences of the European Union in the field of criminal law and how the European Law effects the criminal law in Germany. The course also takes a look at the European Convention on Human Rights and its importance for German criminal law. The last part of the course deals with international criminal law as a part of the law of nations. In particular it will focus on the International Criminal Court and the core crimes of international law like genocide or crimes against humanity as they are codified in the Rome Statute.		
Conditions: none		Credit Requirements: Passing the module exam
Frequency: each winter semester	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 3	Repeat Exams Permitted: none	
Parts of the Module		
Part of the Module: Europäisches und Internationales Strafrecht Mode of Instruction: lecture Lecturers: Prof. Dr. Peter Kasiske Language: German Contact Hours: 3 ECTS Credits: 9.0		
Examination Europäisches und Internationales Strafrecht oral exam / length of examination: 25 minutes, graded		

Module JUR-8107: Criminal sanctions, juvenile criminal law and penal system <i>Strafrechtliche Sanktionen, Jugendstrafrecht und Strafvollzug</i>		6 ECTS/LP
Version 1.0.0 Person responsible for module: Prof. Dr. Johannes Kaspar		
<p>Contents:</p> <p>Following its title's distinction, this lecture is divided into three topics: criminal sanctions, juvenile criminal law and penitentiary law.</p> <p>In the first (and biggest) part of the module, the concept of the two-track nature of criminal sanctions (punishments and measures of rehabilitation and incapacitation) is first introduced. This is followed by more detailed information on the individual forms of sanctions, their advantages and disadvantages as well as some empirical data. In addition, the various theories of punishment are discussed in detail and the results of studies on recidivism, among other things, are examined.</p> <p>In the next section, there is a brief introduction to juvenile criminal law and its characteristics due to the educational concept, again with a focus on sanctions of juvenile criminal law.</p> <p>In addition, the students learn the basics of penitentiary law, whose primary task is rehabilitation of the offender and safeguarding the public.</p>		
<p>Learning Outcomes / Competences:</p> <p>This course aims at providing the students with the necessary knowledge and skills to analyse the basic principles of various sanctions, in particular based on their pros and cons. Students completing the course will acquire a deep working knowledge of the topics covered such as sentencing law, juvenile criminal law and the process of law enforcement in general.</p>		
Conditions: none		Credit Requirements: Passing the module exam
Frequency: irregular (usu. winter semester)	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 2	Repeat Exams Permitted: none	
Parts of the Module		
<p>Part of the Module: <i>Strafrechtliche Sanktionen, Jugendstrafrecht und Strafvollzug</i></p> <p>Mode of Instruction: lecture</p> <p>Lecturers: Prof. Dr. Johannes Kaspar</p> <p>Language: German</p> <p>Contact Hours: 2</p> <p>ECTS Credits: 6.0</p>		

Contents:

- § 1: Basics and special forms of sanctions
- § 2: Theories of punishment
- § 3: Empirical findings in sanction research
- § 4: Imposition and enforcement of fines
- § 5: Imposition and enforcement of prison sentences
- § 6: Criminal liability as a prerequisite for punishment
- § 7 I: Measures of rehabilitation and incapacitation (overview and out-patient measures)
- § 7 II: Measures of rehabilitation and incapacitation (in-patient measures, in particular preventive detention)
- § 8: Introduction to juvenile criminal law (especially sanctions of the JGG)
- § 9: Basic principles of sentencing
- § 10: Restorative Justice as the "third track" of criminal law?
- § 11: Introduction to penitentiary law and practice

Literature:

Textbooks in the current editions, e.g.:

Criminal sanctions:

- Meier, Strafrechtliche Sanktionen
- Streng, Strafrechtliche Sanktionen
- Kudlich/Kett-Straub, Sanktionenrecht

Juvenile criminal law:

- Meier/Bannenberg/Höffler, Jugendstrafrecht
- Beulke/Swoboda, Jugendstrafrecht
- Streng, Jugendstrafrecht

Penal system:

- Laubenthal, Strafvollzug
- Arnoth/Krä, Kommentar zu den Strafvollzugsgesetzen

Case Books:

- Kaiser/Schöch/Kinzig, Juristischer Studienkurs
- Höffler/Kaspar, Examinatorium Schwerpunkt Strafrecht
- Eisenberg/Bung/Kölbel, Fälle zum Schwerpunkt Strafrecht

Examination

Strafrechtliche Sanktionen, Jugendstrafrecht und Strafvollzug

oral exam, graded

Module JUR-8108: Modern History of Criminal Law <i>Neuere Strafrechtsgeschichte</i>		6 ECTS/LP
Version 1 Person responsible for module: Prof. Dr. Arnd Koch		
Conditions: none		Credit Requirements: Bestehen der Modulprüfung
Frequency: irregular (usu. winter semester)	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 2	Repeat Exams Permitted: none	

Parts of the Module**Part of the Module: Neuere Strafrechtsgeschichte**

Mode of Instruction: lecture
Lecturers: Prof. Dr. Arnd Koch
Language: German
Contact Hours: 2
ECTS Credits: 6.0

Examination

Neuere Strafrechtsgeschichte
 oral exam, graded

Module JUR-8110: IT-Security und Compliance <i>IT-Security und Compliance</i>		3 ECTS/LP
Version 1.0.0 (since SoSe23) Person responsible for module: Prof. Dr. Dr. h.c. Michael Kubiciel		
Contents: A. The Need for Cybersecurity B. Security Breach 1. The Consequences of a Security Breach, Personal Data as a Target 2. Security Breach Example 1-2 C. Types of Attackers D. Internal and External Threats E. Cyberwarfare F. Finding/ Categorizing Security Vulnerabilities G. Facets of IT security law 1. Elements of IT security law 2. The IT Security Officer (as Lawyer) 3. ISO 27001: 2022 H. IT security and/versus data protection		
Learning Outcomes / Competences: You know the essential aspects and requirements of IT security: data security and protection. You know the relevant standard like ISO/IEC 27001 and Introduction to Cybersecurity.		
Conditions: Basic Computer skills and terminology, B1 English (students do not have to take a placement test.)		Credit Requirements: Passing the module exam
Frequency: irregular (usu. summer semester)	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 1	Repeat Exams Permitted: none	
Parts of the Module		
Part of the Module: IT-Security und Compliance Language: German Contact Hours: 1 ECTS Credits: 3.0		
Lehr-/Lernmethoden: Case studies, Group discussions, Interactive lectures, Online resources		

Literature:

"Information Security Management Handbook" by Harold F. Tipton and Micki Krause

"Cybersecurity and Cyberwar: What Everyone Needs to Know" by P.W. Singer and Allan Friedman

"Security in Computing" by Charles P. Pfleeger and Shari Lawrence Pfleeger

"Handbook of Information Security, Threats, Vulnerabilities, Prevention, Detection, and Management" by Hossein Bidgoli

"Computer Security Fundamentals" by Chuck Easttom

"Security Compliance Management: A Guide for IT Systems and Software Assurance" by Michael A. Davis

"The ISO 27001/27002 Book of Standards: Information Security Management System (ISMS)" by Alan Calder and Steve Watkins

"Cybersecurity Law" by Mark S. Radcliffe

"Data Privacy Management and Autonomous Spontaneous Security" by Fausto Giunchiglia, Jana Koehler, and Oscar Nierstrasz

"IT Compliance and Controls: Understanding Regulations and Standards" by Mark E. suppression.

Examination

IT-Security und Compliance

written exam, Instead of the final exam, the student could prepare a "case study" to be selected with the lecturer and present it in the class. / length of examination: 1 hours, graded

Module JUR-8201: Public Law I (Introduction, Constitutional Law, Fundamental Rights) <i>Öffentliches Recht I (Einführung, Verfassungsrecht, Grundrechte)</i>		9 ECTS/LP
Version 1.0.0 Person responsible for module: Prof. Dr. Daniel Wolff		
Learning Outcomes / Competences: Students become familiar with national constitutional law as the basis of public law. They know that the entire legal system is decisively shaped by constitutional law in general and fundamental rights in particular. They understand the basic structures of public law, gain an overview of the constitutional procedural law relevant to fundamental rights and deal in depth with the dogmatics of fundamental rights. They become acquainted with a large number of fundamental rights and in this respect have in-depth knowledge of the case law of the Federal Constitutional Court. By applying and deepening their knowledge in the case discussions accompanying the lectures, they are able to solve fundamental rights case constellations in an expert opinion using legal methods.		
Conditions: none		Credit Requirements: Passing the module exam
Frequency: each winter semester	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 3	Repeat Exams Permitted: none	
Parts of the Module		
Part of the Module: Fallbesprechung zum Grundkurs Öffentliches Recht I für Studierende aus dem Ausland Mode of Instruction: exercise course Language: German		
Contents: Application of the theoretical lecture material from the "Basic Course in Public Law I (Introduction, Constitutional Law, Fundamental Rights)" to the expert case solution.		
Part of the Module: Öffentliches Recht I (Einführung, Verfassungsrecht, Grundrechte) Mode of Instruction: lecture Language: German Contact Hours: 3 ECTS Credits: 9.0		
Contents: A. Introduction 1. Public law and the structure of the legal system 2. An overview of constitutional law: Subject matter, function, text, history and court B. The Basic Rights of the Basic Law 1. General doctrines of fundamental rights 2. Selected fundamental rights		
Literature: The following literature is required for the lecture: 1. Kirchhof/Kreuter-Kirchhof, Staats- und Verwaltungsrecht Bundesrepublik Deutschland 2021/22, 61. Aufl. 2021. 2. Möllers, Das Grundgesetz – Geschichte und Inhalt, 1., 2. oder 3. Auflage. 3. Papier/Krönke, Grundkurs Öffentliches Recht 2 – Grundrechte, 4. Aufl. 2020.		

Examination

Öffentliches Recht I (Einführung, Verfassungsrecht, Grundrechte)

written exam / length of examination: 120 minutes, graded

Description:

Students will write a 120-minute case solution exam at the end of the semester covering the material covered in lecture and case discussions.

Module JUR-8202: Public Law II (Organizational Law of the State and the European Union) <i>Öffentliches Recht II (Organisationsrecht von Staat und EU)</i>		12 ECTS/LP
Version 1.0.0 (since SoSe23) Person responsible for module: Prof. Dr. Gregor Kirchhof		
Contents: I. Basics and Overview II. Function of a constitution III. Democracy IV. Constitutional State V. Republic and Social State VI. Federal State VII. State Authorities VIII. Public International Law and constitutional Law		
Learning Outcomes / Competences: The aim of this course is to provide students with a basic understanding of Organizational Law of the State and the EU. In addition, basic methodological skills are taught in order to train the handling of hitherto unknown legal problems		
Conditions: none		Credit Requirements: Passing the module exam
Frequency: each summer semester	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 4	Repeat Exams Permitted: none	
Parts of the Module		
Part of the Module: Öffentliches Recht II (Organisationsrecht von Staat und EU) Mode of Instruction: lecture Language: German Contact Hours: 4 ECTS Credits: 12.0		
Literature: <ul style="list-style-type: none"> • Degenhart, Staatsrecht I. Staatsorganisationsrecht, 38. Aufl. 2022 • Ipsen/Kaufhold /Wischmeyer, Staatsrecht I, 34. Aufl. 2022 • Gröpl, Staatsrecht I, 14. Aufl. 2022 		
Assigned Courses: Grundkurs Öffentliches Recht II (Organisationsrecht von Staat und EU) (lecture) <i>*(online/digital) *</i>		
Examination Öffentliches Recht II (Organisationsrecht von Staat und EU) oral exam / length of examination: 20 minutes, graded		

Module JUR-8204: Public Law IV (Law of the European Union) <i>Öffentliches Recht IV (Europarecht)</i>		6 ECTS/LP
Version 1.0.0 Person responsible for module: Prof. Dr. Matthias Rossi		
Conditions: none		Credit Requirements: Bestehen der Modulprüfung
Frequency: each summer semester	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 2	Repeat Exams Permitted: none	

Parts of the Module
Part of the Module: Öffentliches Recht IV (Europarecht) Language: German Contact Hours: 2 ECTS Credits: 6.0
Assigned Courses: Grundkurs Öffentliches Recht IV (Europarecht) (lecture) **
Examination Öffentliches Recht IV (Europarecht) written exam, graded

Module JUR-8205: Law of the European Union (Selected Issues) <i>Europarecht (Vertiefung)</i>		6 ECTS/LP
Version 1.0.0 Person responsible for module: Dr. Stefan Lorenzmeier		
Contents: Jurisdiction of the ECJ, External Relations of the EU, EU Competition Law, EU Special Regimes		
Learning Outcomes / Competences: To improve knowledge on EU law		
Conditions: none		Credit Requirements: Passing the module exam
Frequency: each summer semester	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 2	Repeat Exams Permitted: none	
Parts of the Module		
Part of the Module: Europarecht (Vertiefung) Language: German Contact Hours: 2 ECTS Credits: 6.0		
Literature: Lorenzmeier, Europarecht		
Assigned Courses: Europarecht (Vertiefung), SP I (lecture) **		
Examination Europarecht (Vertiefung) oral exam / length of examination: 15 minutes, graded		

Module JUR-8206: Building Law <i>Baurecht</i>		6 ECTS/LP
Version 1.0.0 Person responsible for module: Prof. Dr. Martin Kment		
<p>Contents: Building law belongs to the superior field of planning law, which focuses on the use of land and ground by public institutions. It is subdivided into special and general planning law. The special planning law refers to the planning of certain subjects, e.g. waste and energy management or infrastructure. The general planning law concentrates on the interdisciplinary requirements to land use and coordinates the different aspects of special planning. The public building law plays a major role in this context. It contains the federal planning law and the particular planning law of the different states. Its main sources of law are the Baugesetzbuch (BauGB, engl. Building Code) and the Baunutzungsverordnung (BauNVO, engl. Federal Land Utilisation Ordinance). The overall aims of building law are the guarantee of urban development by legal guidelines regarding the structural usability of land and the public security in order to protect the citizens' life and health. Another part of building law is regional planning law, providing rules for the development, order and safeguard of supraregional plannings and actions.</p>		
<p>Learning Outcomes / Competences: The aim of the course is to provide students with a profound understanding of the German building law. The students understand the relevant legal frameworks and their interconnection in the federal system. In addition, the students learn the structural basics and requirements of building projects as well as the legal protection of the affected parties. After successful completion of the module, students will have a comprehensive overview of how to deal with planning permissions, the main standards of urban, land-use and regional planning and the correlated aspects of legal supervision.</p>		
<p>Workload: Total: 180 h 80 h studying of course content using literature (self-study) 80 h studying of course content using provided materials (self-study) 20 h lecture (attendance)</p>		
<p>Conditions: The course will be held in German, therefore German language skills spoken and written are a prerequisite. Basic knowledge of German public law is an advantage.</p>		<p>Credit Requirements: Passing the module exam</p>
<p>Frequency: each winter semester</p>	<p>Recommended Semester:</p>	<p>Minimal Duration of the Module: 1 semester[s]</p>
<p>Contact Hours: 2</p>	<p>Repeat Exams Permitted: none</p>	
<p>Parts of the Module</p>		
<p>Part of the Module: Baurecht Mode of Instruction: lecture Lecturers: Prof. Dr. Martin Kment Language: German Contact Hours: 2 ECTS Credits: 6.0</p>		

Contents:

I. Introduction

- Sources of the law
- Planning levels (regional planning, land-use planning, urban planning)
- Relations between building law and the right to property

II. Planning law

1. Basics of planning law

- Planning competence (Art. 28 II 1 GG)
- Limits of planning competence, esp. principle of consideration (§ 1 VII BauGB)

2. Land-use planning

- Land-use plan (§§ 5 ff. BauGB)
- Urban plan (§§ 8 ff. BauGB)
- Planning process (§ 1 BauGB)
- Protection of land-use planning

3. Project admissibility

- Proconditions according to § 29 BauGB
- Admissibility according to § 30 BauGB
- Exceptions and exemptions according to § 31 BauGB
- Admissibility according to § 34 BauGB
- Admissibility according to § 35 BauGB
- Municipal understanding according to § 36 BauGB

III. Building law

1. Process of building permission

- Building permission according to Art. 68 BayBO
- Preliminary decision according to Art. 71 BayBO
- Projects without need of permission according to Art. 57 f. BayBO

2. Construction supervision measures

IV. legal protection in building law

Literature:

Textbooks in the current editions, e.g.:

- *Kment*, Öffentliches Baurecht I. Bauplanungsrecht, 8. Aufl. München 2022
- *Weber/Köppert*, Baurecht Bayern, 4. Aufl. Heidelberg 2019
- *Jarass/Kment*, Baugesetzbuch, 3. Aufl. 2022

Statute books in the current editions, esp.:

- Baugesetzbuch (BauGB): Beck-Texte im dtv 5018
- Staats- und Verwaltungsrecht Freistaat Bayern: C.F. Müller
- Staats- und Verwaltungsrecht Bundesrepublik Deutschland: C.F. Müller

Examination

Baurecht

oral exam, graded

Module JUR-8208: International Protection of Human Rights <i>Internationaler Schutz der Menschenrechte</i>		6 ECTS/LP
Version 1.0.0 Person responsible for module: Dr. Stefan Lorenzmeier		
Contents: International and regional human rights systems, international and national enforcement of human rights		
Learning Outcomes / Competences: To improve and deepen knowledge on international human rights		
Conditions: none		Credit Requirements: Passing the module exam
Frequency: each summer semester	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 2	Repeat Exams Permitted: none	
Parts of the Module		
Part of the Module: Internationaler Schutz der Menschenrechte Mode of Instruction: lecture Lecturers: Dr. Stefan Lorenzmeier Language: German Contact Hours: 2 ECTS Credits: 6.0		
Literature: Lorenzmeier, Völkerrecht, slides		
Examination Internationaler Schutz der Menschenrechte oral exam / length of examination: 15 minutes, graded		

Module JUR-8209: European and International Environmental Law <i>Europäisches und Internationales Umweltrecht</i>		6 ECTS/LP
Version 1.0.0 Person responsible for module: Dr. Stefan Lorenzmeier		
Learning Outcomes / Competences: The lecture deals with international and European environmental law. International regulations are of particular importance for environmental law, since environmental problems often cross national borders and therefore affect several states. Therefore, they cannot be solved by one state alone. Students will learn about and understand the regulatory structures of environmental law at both the European and international levels as well as their impact on national law. This will enable the students to solve and evaluate international environmental law cases and national cases with international implications.		
Workload: Total: 180 h 21 h lecture (attendance) 79 h studying of course content using provided materials (self-study) 80 h studying of course content using literature (self-study)		
Conditions: Basic knowledge of international and European law as well as German constitutional and administrative law is helpful.		Credit Requirements: Passing the module exam
Frequency: each winter semester	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 2	Repeat Exams Permitted: none	
Parts of the Module		
Part of the Module: Europäisches und Internationales Umweltrecht Mode of Instruction: lecture Language: German Contact Hours: 2 ECTS Credits: 6.0		
Contents: I. European Environmental Law <ul style="list-style-type: none"> • The adoption of legal acts in European environmental law • Implementation and enforcement of European environmental law • Control and legal protection in European environmental law • Substantive European environmental law II. International Environmental Law <ul style="list-style-type: none"> • Basics • Climate protection under international law • Conflicts between environmental and trade law 		

Literature:

In the respective current edition:

- Epiney, Das Umweltrecht der Europäischen Union;
- Meßerschmidt, Europäisches Umweltrecht;
- Kahl/Gärditz, Umweltrecht;
- Bodansky/Brunnée/Hey, The Oxford Handbook of International Environmental Law;
- Beyerlin, U., Umweltvölkerrecht;
- Sands/Peel, Principles of International Environmental Law;
- Beyerlin/Marauhn, International Environmental Law.

Examination

Europäisches und Internationales Umweltrecht

oral exam / length of examination: 15 minutes, graded

Module JUR-8210: International (Public) Trade Law <i>Wirtschaftsvölkerrecht - Internationales (völkerrechtliches) Wirtschaftsrecht</i>		6 ECTS/LP
Version 1.0.0 Person responsible for module: Prof. Dr. Thilo Rensmann Dr. Stefan Lorenzmeier		
Learning Outcomes / Competences: Students will become familiar with the foundations of international economic order under international law. In particular, they will be able to apply the most important norms of international trade law (WTO law, GATT) and international investment protection law. On the basis of relevant precedents, students will be able to understand and apply complex norms of international economic law that were previously unknown to them. The aim of the lecture is not least to awaken an understanding of the extent to which economic processes are controlled by international law.		
Remarks: alter Titel: Internationales völkerrechtliches Wirtschaftsrecht		
Workload: Total: 180 h 21 h lecture (attendance) 80 h studying of course content using literature (self-study) 79 h studying of course content using provided materials (self-study)		
Conditions: Knowledge of English, knowledge of constitutional and European law, knowledge of international law is helpful.		Credit Requirements: Passing the module exam
Frequency: each summer semester	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 2	Repeat Exams Permitted: none	
Parts of the Module		
Part of the Module: Wirtschaftsvölkerrecht Mode of Instruction: lecture Language: German Contact Hours: 2 ECTS Credits: 6.0		
Contents: <ol style="list-style-type: none"> 1. International law foundations of national and international regulation of the economy 2. Economic sanctions, export control law 3. Binding multinational companies to human rights standards 4. Foreign investment law 5. Investment protection and aliens law 6. Investment protection and human rights 7. Substantive standards of international investment protection law 8. Investor-State Arbitration 9. Basic principles of WTO law 10. Basic principles of GATT 11. WTO dispute settlement 12. Free Trade Agreement 		

Literature:

Textbooks in current editions, e.g.:

- Herdegen, Internationales Wirtschaftsrecht;
- Krajewski, Wirtschaftsvölkerrecht.

Assigned Courses:

Internationales (völkerrechtliches) Wirtschaftsrecht (lecture)

**(online/digital) **

Examination

Wirtschaftsvölkerrecht

oral exam / length of examination: 20 minutes, graded

Module JUR-8211: Basic Problems of Bio-, Medical- and Health Law <i>Grundprobleme des Bio-, Medizin- und Gesundheitsrechts</i>		6 ECTS/LP
Version 1.0.0 Person responsible for module: Prof. Dr. Josef Franz Lindner		
Contents: Existing legal regulations of the medical profession as well as new developments of the legislation in the health sector are discussed. Elements of all areas of law are interconnected and fundamentals are deepened.		
Learning Outcomes / Competences: The students should learn how to develop and solve problems of medical law using legal methods in order to be able to shed light on unknown and current developments in a legally comprehensive and differentiated manner.		
Conditions: Basic knowledge in the field of fundamental rights and administrative organization law is an advantage		Credit Requirements: Passing the module exam
Frequency: each winter semester	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 2	Repeat Exams Permitted: none	
Parts of the Module		
Part of the Module: Grundprobleme des Bio-, Medizin- und Gesundheitsrechts Mode of Instruction: lecture Lecturers: Prof. Dr. Josef Franz Lindner Language: German Frequency: irregular (usu. winter semester) Contact Hours: 2 ECTS Credits: 6.0		
Contents: <ol style="list-style-type: none"> 1. Introduction 2. Access to the medical profession 3. Organization of physicians 4. Medical professional law 5. Legal problems of reproductive medicine 6. Genetic diagnostics and personalized medicine 7. Medical treatment without indication 8. Legal problems of suicide 9. Legal problems of euthanasia 10. Basic problems of organ transplantation law 		
Lehr-/Lernmethoden: Essential is the accompanying thorough reading of the relevant legal texts		
Literature: In the respective current edition: Janda, Medizinrecht		
Examination Grundprobleme des Bio-, Medizin- und Gesundheitsrechts written exam / length of examination: 2 hours, graded		

Module JUR-8212: Public Economic Law <i>Öffentliches Wirtschaftsrecht</i>		9 ECTS/LP
Version 1.0.0 Person responsible for module: Prof. Dr. Ferdinand Wollenschläger		
Learning Outcomes / Competences: After the course, students will have in-depth knowledge of public commercial law with its constitutional and European law foundations. The students are able to apply their knowledge to public law cases and to find constructive solutions to previously unknown issues.		
Workload: Total: 150 h 32 h lecture (attendance) 59 h studying of course content using provided materials (self-study) 59 h studying of course content using literature (self-study)		
Conditions: Knowledge of Constitutional Law and European Law		Credit Requirements: Passing the module exam
Frequency: each winter semester	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 3	Repeat Exams Permitted: according to the examination regulations of the study program	

Parts of the Module
Part of the Module: Öffentliches Wirtschaftsrecht Mode of Instruction: lecture Lecturers: Prof. Dr. Ferdinand Wollenschläger Language: German Contact Hours: 3 ECTS Credits: 9.0
Contents: <ol style="list-style-type: none"> I. Introduction with presentation of different problem situations. II. Historical overview III. European law IV. Constitutional law V. Individual areas of law <ol style="list-style-type: none"> 1. Trade Law 2. Restaurant law 3. Handicraft law 4. Public Transport
Literature: Textbooks in current editions, e.g.: <ul style="list-style-type: none"> • Ruthig/Storr, Öffentliches Wirtschaftsrecht; • Ziekow, Öffentliches Wirtschaftsrecht; • Schmidt/Wollenschläger, Kompendium Öffentliches Wirtschaftsrecht.
Examination Klausur Öffentliches Wirtschaftsrecht written exam / length of examination: 120 minutes, graded

Examination

Mündliche Prüfung Öffentliches Wirtschaftsrecht

oral exam / length of examination: 15 minutes, graded

Description:

Either an oral or written examination is offered.

Module JUR-8213: International and European Tax Law <i>Internationales und Europäisches Steuerrecht</i>		12 ECTS/LP
Version 1.0.0 Person responsible for module: Prof. Dr. Stephan Rasch; Prof. Dr. Gregor Kirchhof		
Contents: In two semesters, the module provides students with a comprehensive insight into the taxation of individuals with foreign relations and the taxation of internationally active companies.		
Learning Outcomes / Competences: After successful participation, the students are able to apply the regulations of unlimited or limited tax liability and to solve practice-relevant cases. Students will also learn how to deal confidently with the law of double taxation agreements. They will be able to apply and solve the types of income, in particular corporate profits including permanent establishment taxation, in international circumstances. Students will gain a deeper understanding in the area of foreign tax law and learn the ability to independently solve completed problems. Last but not least, international tax planning as well as current tax policy and tax law developments (Base Erosion and Profit Shifting) are the subject of the lecture.		
Remarks: This module can only be taken by students who study in Augsburg for the full academic year (winter and summer semester). Students who only complete a part of the module won't be awarded any ECTS		
Workload: Total: 180 h 69 h studying of course content using literature (self-study) 69 h studying of course content using provided materials (self-study) 42 h lecture (attendance)		
Conditions: Previous attendance of the lecture Income Tax Law is advantageous - but not mandatory. Students can prepare for participation in the module by working through the introductory chapters of the literature mentioned.		Credit Requirements: Passing the module exam
Frequency: annually	Recommended Semester:	Minimal Duration of the Module: 2 semester[s]
Contact Hours: 4	Repeat Exams Permitted: according to the examination regulations of the study program	
Parts of the Module		
Part of the Module: Internationales und Europäisches Steuerrecht Teil 1 (Wintersemester) Mode of Instruction: lecture Lecturers: Prof. Dr. Stephan Rasch Language: German Frequency: each winter semester Contact Hours: 2 ECTS Credits: 6.0		

<p>Contents:</p> <ol style="list-style-type: none">1. Basics of international tax law<ol style="list-style-type: none">1.1 Introduction and basic concepts of international tax law1.2 Tax treatment of foreign income under national law2. law of double taxation treaties<ol style="list-style-type: none">2.1. Procedure2.2 OECD Model Convention
<p>Literature:</p> <p>Textbooks in current editions, e.g.:</p> <ul style="list-style-type: none">• Schaumburg, Internationales Steuerrecht;• Jacobs, Internationale Unternehmensbesteuerung;• Haase, Internationales und Europäisches Steuerrecht;• Flick/Wassermeyer/Baumhoff/Schönfeld, Außensteuerrecht, Kommentar, Loseblatt• Mössner, u.a., Steuerrecht international tätiger Unternehmen;• Scheffler, Internationale Steuerlehre.
<p>Part of the Module: Internationales und Europäisches Steuerrecht Teil 2 (Sommersemester)</p> <p>Mode of Instruction: lecture</p> <p>Language: German</p> <p>Frequency: each summer semester</p> <p>Contact Hours: 2</p> <p>ECTS Credits: 6.0</p>
<p>Learning Outcome:</p> <p>see: Internationales und Europäisches Steuerrecht Teil 1 (Wintersemester)</p>
<p>Contents:</p> <ol style="list-style-type: none">3. Foreign Tax Law<ol style="list-style-type: none">3.1 Background of the Foreign Tax Act3.2 Relocation of residence to low-tax areas3.3. taxation of foreign currency translation3.4. transfer pricing4. International tax planning<ol style="list-style-type: none">4.1. basic principles of international tax planning4.2. particularities of tax planning due to the requirements of the European law on state aid5. main features of European tax law<ol style="list-style-type: none">5.1 Introduction5.2. fundamental freedoms<ol style="list-style-type: none">5.2.1. sources of law5.2.2 Significance of the fundamental freedoms5.2.3 Dogmatics of the fundamental freedoms5.2.4 Grounds of justification5.2.5 Special Features in the Context of Third Countries5.3 Current Case Law of the ECJ
<p>Literature:</p> <p>see: Internationales und Europäisches Steuerrecht Teil 1 (Wintersemester)</p>
<p>Examination</p> <p>Internationales und Europäisches Steuerrecht</p> <p>written exam / length of examination: 120 minutes, graded</p> <p>Description:</p> <p>The module exam is regularly offered at the end of the summer semester in the main and retake sessions.</p>

Module JUR-8214: General international law <i>Allgemeines Völkerrecht</i>		6 ECTS/LP
Version 1.0.0 Person responsible for module: Prof. Dr. Thilo Rensmann		
Contents: The lecture course provides an introduction to Public International Law. The aim of the course is to lay the foundations for the later study of specialized subjects of international law, such the law of the sea, diplomatic law, human rights law and international criminal law. For this purpose, the course will cover the history, the subjects, sources and basic principles of international law (<i>i.e.</i> sovereign equality, non-intervention, the prohibition of the use of force and the self-determination of peoples). In addition, the interaction between international and domestic law as well as the consequences of internationally wrongful acts will be discussed.		
Learning Outcomes / Competences: Upon completion of this course, a student will be familiar with the main structural features of Public International Law and its interaction with domestic law. Participants will have also developed a sensitivity for the systemic tension between traditional state-centered international law on the one hand and the emergence of a new anthropocentric vision of international law on the other.		
Conditions: none		Credit Requirements: Passing the module exam
Frequency: each winter semester	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 2	Repeat Exams Permitted: none	
Parts of the Module		
Part of the Module: Allgemeines Völkerrecht Mode of Instruction: lecture Lecturers: Prof. Dr. Thilo Rensmann Language: German		
Contents: A. History of International Law B. International and Domestic Law C. Subjects of International Law D. Sources of International Law E. Principles of International Law F. Responsibility for Internationally Wrongful Acts		
Literature: Current editions of International Law textbooks, in particular <ul style="list-style-type: none"> • A. v. Arnauld, Völkerrecht (C.F. Müller) • M. Herdegen, Völkerrecht (C.H. Beck) • M. Krajewski, Völkerrecht (Nomos) 		
Examination Allgemeines Völkerrecht oral exam / length of examination: 20 minutes, graded Description: The exam will be held in German.		

Module JUR-8215: Public International Law (Selected Issues) <i>Besonderes Völkerrecht</i>		6 ECTS/LP
Version 1.0.0 Person responsible for module: Dr. Stefan Lorenzmeier		
Contents: International Organizations, esp. UN law, humanitarian international law, law of the sea, international criminal law		
Learning Outcomes / Competences: To improve and deepen knowledge on Public International Law		
Conditions: none		Credit Requirements: Passing the module exam
Frequency: each summer semester	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 2	Repeat Exams Permitted: none	
Parts of the Module		
Part of the Module: Besonderes Völkerrecht Mode of Instruction: lecture Lecturers: Dr. Stefan Lorenzmeier Language: German Contact Hours: 2 ECTS Credits: 6.0		
Literature: Lorenzmeier, Völkerrecht		
Assigned Courses: Besonderes Völkerrecht (lecture) <i>*(online/digital) *</i>		
Examination Besonderes Völkerrecht oral exam / length of examination: 15 minutes, graded		

Module JUR-8216: International and European Health Law <i>Internationales und Europäisches Gesundheitsrecht</i>		6 ECTS/LP
Version 1.0.0 (since SoSe23) Person responsible for module: Dr. Stefan Lorenzmeier		
<p>Contents:</p> <p>International and European health law is an emerging field of law. The protection of health reflects a pressing social need that should now be spoken of in the vocabulary of international and European law. Furthermore, there is an urgent need for counterbalancing interests such as international trade, global commerce and the welfare interests of the protection of the health of both individuals and populations in Europe and worldwide.</p> <p>European health law has become increasingly dense over time. As of now, international health law is not a well-developed field. The health-related standard-setting legal instruments are very fragmented as there is no overall international recognition of international health law as a distinct branch of international law.</p> <p>Enormous challenges on the international level as well as the European level lie ahead, especially in terms of strengthening the existing instruments and addressing the responsibilities of non-state actors in the health field.</p>		
Learning Outcomes / Competences:		
A student who completes this course should have knowledge and understanding of the challenges of the international and European health law as an emerging and fragmented field of law. Students should be able to see the influence of international and European law on their national law.		
Conditions: none		Credit Requirements: Passing the module exam
Frequency: each summer semester	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 2	Repeat Exams Permitted: none	
Parts of the Module		
<p>Part of the Module: Internationales und Europäisches Gesundheitsrecht</p> <p>Language: German</p> <p>Contact Hours: 2</p> <p>ECTS Credits: 6.0</p>		

Contents:

- A. Introduction
 - I. Health Law as a Field of Law
 - II. Multi-level governance:
 - II. Transnational Legal Framework

- B. European Law
 - I. History
 - II. Institutions
 - III. European Health Law

- C. Public International Law
 - I. History
 - II. Institutions
 - III. International Treaties
 - IV. Human Rights

Lehr-/Lernmethoden:

Mixed - Lectures including interactive components.

Literature:

- Igl/Welti, Gesundheitsrecht, 4. Auflage 2022, §§ 4-9
- Hardy, Öffentliches Gesundheitsrecht, 2009, §§ 6-11
- Tobes, International Health Law, Indian Journal of International Law volume 55 (2016), 299

Assigned Courses:

Internationales und europäisches Gesundheitsrecht, SP VI (lecture)

**(online/digital) **

Examination

Internationales und Europäisches Gesundheitsrecht

oral exam, graded

Module JUR-8301: Introduction to Common Law <i>Introduction to Common Law</i>		6 ECTS/LP
Version 1.0.0 Person responsible for module: Dr. Stefan Lorenzmeier Elizabeth O'Leary		
Contents: <ul style="list-style-type: none"> • The Common Law – History, Development Courts & Legal Methodology • Contract Law • Criminal Law • Tort Law 		
Learning Outcomes / Competences: Students will be introduced to the principles, concepts and workings of a common law legal system. Students will extract legal principles from landmark court decisions, analyzing the court's legal reasoning and the role history and policy plays in such decisions. Students will apply the court developed legal principles to fact situation. Students will examine how the substantive law in a case law system evolves. Students will be able to compare, contrast and critically evaluate different legal systems. Students' networking, negotiation and persuasion skills will be trained on an individual and a team basis.		
Remarks: Only available to law students from Erasmus partner universities of the Faculty of Law or law students from university-wide partner universities.		
Conditions: none		Credit Requirements: Passing the module exam
Frequency: each semester	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 2	Repeat Exams Permitted: none	
Parts of the Module		
Part of the Module: Introduction to Common Law Mode of Instruction: lecture Lecturers: Elizabeth O'Leary Language: English		
Lehr-/Lernmethoden: Socratic method, lecture, experiential learning		
Literature: <ul style="list-style-type: none"> • Court reports • Legal Journals • Computer based legal research 		
Assigned Courses: Introduction to Common Law (lecture) **		
Examination Introduction to Common Law written exam / length of examination: 60 minutes, graded		

Module JUR-8302: Introduction to Anglo-American Legal Systems <i>Introduction to Anglo-American Legal Systems</i>		6 ECTS/LP
Version 1.8.0 Person responsible for module: Dr. Stefan Lorenzmeier Erin Moody		
Contents: <ul style="list-style-type: none"> Organisational aspects of the English and American Legal Systems - how each legal system operates under the Constitutional Doctrines of Rule of Law; Separation of Powers and Supremacy of laws – including differences between civil and common law; the application of case precedent; court structure; standards of proof; roles of lawyers and judges; and important constitutional cases; An Overview of English Contract Law – elements of a contract and what happens when a breach or frustration occurs. An Overview of Tort Law – elements of negligence and risk assessment; defences; and vicarious liability - including also a selection of statutory duties/strict liability and how these are applied in caselaw and in practice; An Overview of Criminal Law and Procedure – types of offences; actus reus and mens rea and their application in specific crimes; analysing recent examples of murder and manslaughter; considering the application of the presumption of innocence in pre-trial as well as trial context – including role of jury trials; police powers and aims of sentencing. 		
Learning Outcomes / Competences: To introduce students to the English and American Legal Systems and the operation of common law therein. Students will gain an insight into the application of the case precedent system in the areas of contract, tort and criminal law. Students will actively participate in group discussion and practical application of legal principles in case analysis; role-play and fact specific problem solving.		
Remarks: Only available to law students from Erasmus partner universities of the Faculty of Law or law students from university-wide partner universities.		
Conditions: Students may have to take the Oxford Online Placement Test, offered by the faculty during the first week of classes each semester, and achieve a score that is at least equivalent to the required C1 language level if they can't already provide valid official test results i.e. TOEFL or are native Speakers. Registration is done via Digicampus with the event name "Oxford Online Placement Test for Erasmus Incoming Students". There you will also find all further information about the test.		Credit Requirements: Passing the module exam
Frequency: each semester	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 2	Repeat Exams Permitted: none	
Parts of the Module		
Part of the Module: Introduction to Anglo-American Legal Systems Mode of Instruction: lecture Language: English		
Lehr-/Lernmethoden: Mixed - Lectures including activities to promote learning or online correspondence course		

Literature:

No specific literature required due to broad nature of subject.

If students wish to know more on a specific subject at this level the Law Express series (subject specific) published by Pearson may be helpful. Not required for course.

Assigned Courses:

Introduction to Anglo-American Legal Systems, Group A (lecture)

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Introduction to Anglo-American Legal Systems, Group B (lecture)

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Examination

Introduction to Anglo-American Legal Systems

written exam / length of examination: 90 minutes, graded

Description:

Mix of general questions aimed at examining general legal principles and lexis/and problem solving essay questions.

Module JUR-8303: Constitutional Law <i>Constitutional Law</i>		6 ECTS/LP
Version 1.0.0 Person responsible for module: Dr. Stefan Lorenzmeier Erin Moody		
<p>Contents:</p> <p>This course will examine, compare, and contrast general constitutional principles as applied in the United Kingdom and the United States of America. The first half of this course will focus on the constitutional structure of these two jurisdictions. We will explore the branches of government within each jurisdiction and their relative powers. We will consider what rights are held by the people, what rights are held by constituent bodies, and what rights are held by the central government.</p> <p>The second half of the Semester will be weighted heavily towards American Constitutional Jurisprudence focusing on:</p> <ul style="list-style-type: none"> • Gun controll laws and constittional right to bear arms • Freedom of Speech • Privacy • Legal issues pertaining to abortions • Police vs constitutional rights in the USA <p>Durnig the semester, students participate in in-classroom debates on constitutional rights and related current affairs.</p>		
<p>Learning Outcomes / Competences:</p> <p>To introduce students to the fine detail of Constitutional structure and the nuance of Constitutional interpretation. Students should understand the balance of power between branches, as well as the protections and limitations of the Constitution when it comes to individual rights.</p>		
<p>Remarks:</p> <p>Only available to law students from Erasmus partner universities of the Faculty of Law or law students from university-wide partner universities.</p>		
<p>Conditions:</p> <p>Students may have to take the Oxford Online Placement Test, offered by the faculty during the first week of classes each semester, and achieve a score that is at least equivalent to the required C1 language level if they can't already provide valid official test results i.e. TOEFL or are native Speakers. Registration is done via Digicampus with the event name "Oxford Online Placement Test for Erasmus Incoming Students". There you will also find all further information about the test.</p>		<p>Credit Requirements:</p> <p>Passing the module exam</p>
<p>Frequency: each winter semester</p>	<p>Recommended Semester:</p>	<p>Minimal Duration of the Module:</p> <p>1 semester[s]</p>
<p>Contact Hours:</p> <p>2</p>	<p>Repeat Exams Permitted:</p> <p>none</p>	
<p>Parts of the Module</p>		
<p>Part of the Module: Constitutional Law</p> <p>Mode of Instruction: lecture</p> <p>Language: English</p>		
<p>Lehr-/Lernmethoden:</p> <p>Mixed - Lectures including interactive components.</p>		
<p>Literature:</p> <p>Literature changes based on the flexible nature of the course. Many cases are drawn from oyez.org and streetlaw.org.</p>		

Examination

Constitutional Law

written exam / length of examination: 90 minutes, graded

Description:

Mix of general questions aimed at examining general legal principles and lexis/and problem solving essay questions.

Module JUR-8304: Research & Writing <i>Research & Writing</i>		6 ECTS/LP
Version 1.0.0 Person responsible for module: Dr. Stefan Lorenzmeier Erin Moody		
Contents: This is a practice-based course focusing on learning the basics of English language legal research and writing. Students learn Bluebook citation, as well as being introduced to OSCOLA Students are introduced to the English language resources available through the library including having a representative from Westlaw/Thompson Reuters do a training on using their database. Students are expected to complete a piece of independent research and writing that will be thematically tied to the mock trial in Constitutional Law.		
Learning Outcomes / Competences: Students will be able to independently identify relevant legal resources to support a rigorous legal argument or theme. Student will practice both academic and practice focused writing activities.		
Remarks: Only available to law students from Erasmus partner universities of the Faculty of Law or law students from university-wide partner universities.		
Conditions: Students may have to take the Oxford Online Placement Test, offered by the faculty during the first week of classes each semester, and achieve a score that is at least equivalent to the required C1 language level if they can't already provide valid official test results i.e. TOEFL or are native Speakers. Registration is done via Digicampus with the event name "Oxford Online Placement Test for Erasmus Incoming Students". There you will also find all further information about the test.		Credit Requirements: Passing the module exam
Frequency: each winter semester	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 2	Repeat Exams Permitted: none	

Parts of the Module
Part of the Module: Research & Writing Mode of Instruction: lecture Language: English
Lehr-/Lernmethoden: Mixed - Lectures including interactive activities.
Literature: Indigo Book - https://law.resource.org/pub/us/code/blue/IndigoBook.html
Examination Research & Writing , graded Description: Students produce a piece of legal research and writing on a topic provided wherein skills taught in the duration of the semester will be tested.

Module JUR-8305: Business/Company Law <i>Business/Company Law</i>		6 ECTS/LP
Version 1.1.0 Person responsible for module: Dr. Stefan Lorenzmeier Erin Moody		
<p>Contents:</p> <p>The purpose of this course is to give students a basic understanding of business and company law concepts in common law jurisdictions. This understanding is developed with an eye towards what might be useful in future practice and research.</p> <p>This course will focus on some essential legal concepts, such as agency and company formation. More specifically, through this course, students will:</p> <ul style="list-style-type: none"> • Recognize the formation, dissolution, and contractual or tort liability of agency relationships. • Understand the concept of fiduciary duties. • Identify the major forms of business organization and the advantages and disadvantages of each. • Know the process for forming corporations and some essential corporate law concepts. • Distinguish the roles of shareholders, directors, and officers. • Identify situations in which corporate officers and directors fall short in living up to their fiduciary duties of care and loyalty to the corporation. • Understand the basic principles of limited liability and piercing the corporate veil. • Understand the basic principles of Alternative Dispute Resolution. • Examine how Intellectual property affects businesses. • Understand the concept of Anti-Trust/Competition law. • Importance of employment law in business operations. <p>This course will be weighted more heavily towards American business forms and rules but will touch on English concepts. If there is student interest, more English law can be included.</p>		
<p>Learning Outcomes / Competences:</p> <p>To introduce students to the operation of business and company law in Anglo-American legal systems. Students will have a basic understanding of many of the principles of corporate law, including the obligations of directors and officers of a company. Students will understand concepts of agency and fiduciary duty. Students will be introduced to the idea that entities have rights, akin to those that protect persons.</p>		
<p>Remarks:</p> <p>Only available to law students from Erasmus partner universities of the Faculty of Law or law students from university-wide partner universities.</p>		
<p>Conditions:</p> <p>Students may have to take the Oxford Online Placement Test, offered by the faculty during the first week of classes each semester, and achieve a score that is at least equivalent to the required C1 language level if they can't already provide valid official test results i.e. TOEFL or are native Speakers. Registration is done via Digicampus with the event name "Oxford Online Placement Test for Erasmus Incoming Students". There you will also find all further information about the test.</p>		<p>Credit Requirements:</p> <p>Passing the module exam</p>
<p>Frequency: each winter semester</p>	<p>Recommended Semester:</p>	<p>Minimal Duration of the Module:</p> <p>1 semester[s]</p>
<p>Contact Hours:</p> <p>2</p>	<p>Repeat Exams Permitted:</p> <p>none</p>	

Parts of the Module
Part of the Module: Business/Company Law Mode of Instruction: lecture + exercise Language: English
Lehr-/Lernmethoden: Mixed - Lectures including activities
Literature: Business Law and the Legal Environment - Don Mayer, University of Miami; Daniel M. Warner, Western Washington University; George J. Siedel, University of Michigan Business School (pdf available).
Examination Business/Company Law written exam / length of examination: 90 minutes, graded Description: Mix of general questions aimed at examining general legal principles and hypothetical essay questions.

Module JUR-8306: Criminal Law & Procedure <i>Criminal Law & Procedure</i>		6 ECTS/LP
Version 1.0.0 Person responsible for module: Dr. Stefan Lorenzmeier Erin Moody		
Contents: This course covers the fundamental principles of substantive criminal law. It will examine the basic elements of crimes, including the requirements of action and mental state; it will examine some general doctrines of criminal liability, such as causation, attempt, and conspiracy. Using the example of the crime of homicide, this course will provide an example of criminal mitigation and gradation. We will also discuss defenses to criminal acts. As criminal law is both state and federal, this course will cover a variety of state and federal statutory formulations and those contained in the Model Penal Code. The course will then move into some basics of criminal procedure.		
Learning Outcomes / Competences: Students will learn the basics of criminal law doctrine. Students will learn the basics of criminal procedure, and will be able to identify and critically discuss crimes and criminal defences.		
Remarks: Only available to law students from Erasmus partner universities of the Faculty of Law or law students from university-wide partner universities.		
Conditions: Students may have to take the Oxford Online Placement Test, offered by the faculty during the first week of classes each semester, and achieve a score that is at least equivalent to the required C1 language level if they can't already provide valid official test results i.e. TOEFL or are native Speakers. Registration is done via Digicampus with the event name "Oxford Online Placement Test for Erasmus Incoming Students". There you will also find all further information about the test.		Credit Requirements: Passing the module exam
Frequency: each winter semester	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 2	Repeat Exams Permitted: none	
Parts of the Module		
Part of the Module: Criminal Law & Procedure Mode of Instruction: lecture Language: English		
Lehr-/Lernmethoden: Mixed - Lectures including interactive activities		
Literature: Ball/Oberman Crim Law Casebook – Open resource, Pdf available upon enrollment.		
Examination Criminal Law & Procedure written exam / length of examination: 90 minutes, graded Description: Mix of general questions aimed at examining general legal principles and hypothetical essay.		

Module JUR-8307: Business Law Topics 1 <i>Business Law Topics 1</i>		6 ECTS/LP
Version 1.0.0 Person responsible for module: Elizabeth O'Leary		
Contents: The course introduces students to legal and business terminology and concepts and develop communication skills. <ul style="list-style-type: none"> • Introduction of legal and business terminology and concepts • Analysis of current affairs and events from a legal and business perspective • Examination of overlap between law & economics • The role of Constitutional rights in business • Study of recent US Supreme Court decisions • Identify and appreciate intercultural traits and characteristics • Developing business skills 		
Learning Outcomes / Competences: Students will gain an understanding of the interplay between law & economics and will be able to analyze scenarios from a business and legal standpoint. Students will develop legal reasoning and interpretation skills and will develop the skills to apply legal principles to future cases or situations. Students will develop their oral communication skills to participate in networking events, negotiations, business meetings, settlement conferences and cross-cultural transactions. Students will also improve their team-work skills to work on domestic and international projects.		
Remarks: Only available to law students from Erasmus partner universities of the Faculty of Law or law students from university-wide partner universities.		
Conditions: Students should have good language skills (minimum B2/C1) and should be familiar with basic business and legal English terminology. Students may have to take the Oxford Online Placement Test, offered by the faculty during the first week of classes each semester, and achieve a score that is at least equivalent to the required language level if they can't already provide valid official test results i.e. TOEFL or are native Speakers. Registration is done via Digicampus with the event name "Oxford Online Placement Test for Erasmus Incoming Students". There you will also find all further information about the test.		Credit Requirements: Passing the module exam
Frequency: each winter semester	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 2	Repeat Exams Permitted: none	
Parts of the Module		
Part of the Module: Business Law Topics 1		
Mode of Instruction: lecture Language: English		
Lehr-/Lernmethoden: Socratic method, lecture, and experiential learning		
Literature: Legal and business reports, journals, and cases		

Examination

Business Law Topics 1

written exam / length of examination: 90 minutes, graded

Module JUR-8308: Concepts of Law und Business I <i>Concepts of Law und Business I</i>		12 ECTS/LP
Version 1.6.0 Person responsible for module: Elizabeth O'Leary		
Learning Outcomes / Competences: Students will gain an insight into the Anglo-American legal system. Students will be able to analyse common law cases and extract legal principles from them and assess the relationship between legal reasoning, interpretation and policy. Students will complete legal research and apply their findings to fact-based business situations. Students will be able to compare, contrast and critically evaluate different legal systems. Students will be made aware of intercultural differences and of their effect on business and how to successfully incorporate these differences in networking, discussion and argumentation, negotiation and in preparing and presenting business plans.		
Remarks: Students must register on www.digicampus.de . The number of participants ist limited. Only available to law students from Erasmus partner universities of the Faculty of Law or law students from university-wide partner universities.		
Conditions: Students should have good language skills (minimum B2/C1) and should be familiar with basic business and legal English terminology. Students may have to take the Oxford Online Placement Test, offered by the faculty during the first week of classes each semester, and achieve a score that is at least equivalent to the required language level if they can't already provide valid official test results i.e. TOEFL or are native Speakers. Registration is done via Digicampus with the event name "Oxford Online Placement Test for Erasmus Incoming Students". There you will also find all further information about the test.		Credit Requirements: Passing the module exam
Frequency: each winter semester	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 4	Repeat Exams Permitted: none	

Parts of the Module
Part of the Module: Basic Concepts of Law und Business Mode of Instruction: lecture + exercise Language: English
Contents: <ul style="list-style-type: none"> • The Common Law –History, Courts & Legal Methodology • Civil Procedure • The Law of Contract
Literature: <ul style="list-style-type: none"> • Law for Business Students - Adams, Caplan & Lockwood (11th edition) • The English Legal System -D. Kelly & G.Slapper (16th edition) • Black's Law Dictionary - West Publishing

Examination

Basic Concepts of Law und Business

, Special exam for incoming students because no exam is usually offered in the winter term / length of examination: 90 minutes, graded

Description:

Presentation & 90 minute exam

Module JUR-8309: Business Mediation <i>Business Mediation</i>		6 ECTS/LP
Version 1.6.0 (since WS23/24) Person responsible for module: Elizabeth O'Leary		
Learning Outcomes / Competences: Understand the format of mediation (what it looks like), the theoretical structure of mediation (why it works) and the dynamics of mediation (how it works). Review the law relating to mediation at a domestic, European and international level. Examine and understand the impact of personal and cultural values on mediation. Enhance questioning techniques and active listening skills. Learn to generate creative problem-solving ideas in mediation. Analyze the causes of impasse and strengthen skills to break impasse. Develop and apply the skills necessary for mediation. Reflect on one's own attitude to and manner of dealing with conflict.		
Remarks: Students must register on digicampus. The number of participants is limited. Only available to law students from Erasmus partner universities of the Faculty of Law or law students from university-wide partner universities.		
Workload: Total: 180 h 21 h lecture and exercise course (attendance) 59 h studying of course content using literature (self-study) 60 h studying of course content using provided materials (self-study) 40 h preparation of written term papers (self-study)		
Conditions: Students should have an excellent command of business and legal English (C1). Certificate required. Students may have to take the Oxford Online Placement Test, offered by the faculty during the first week of classes each semester, and achieve a score that is at least equivalent to the required language level if they can't already provide valid official test results i.e. TOEFL or are native Speakers. Registration is done via Digicampus with the event name "Oxford Online Placement Test for Erasmus Incoming Students". There you will also find all further information about the test. Before commencement of the course, students should review the material available at www.jamsadr.com and at www.mediate.com		Credit Requirements: Passing the module exams
Frequency: each winter semester	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 2	Repeat Exams Permitted: none	
Parts of the Module		
Part of the Module: Business Mediation Mode of Instruction: lecture + exercise Language: English		

Contents:

- The background and historical development of mediation
- The law pertaining to mediation (German, EU and international)
- Recent growth in the use of mediation
- The ethics of mediation
- The limitations of mediation
- The functions of a mediator
- Developing the interpersonal skills required for mediation
- Intercultural mediation
- Psychological aspects of mediation

Literature:

- The Mediator's Handbook (4th Edition 2012) Beer & Packard
- The Mediator's Toolkit: Formulating and Asking Questions for Successful Outcomes –Gerry O' Sullivan (2018)
- The Practice of Mediation –A video integrated text Frenkel and Stark 3rd Edition (Wolters Kluwer)
- Commercial Mediation in Europe. An empirical Study of the User Experience – Ewald Filler
- Getting to Yes - Fisher and Ury
- Getting Past No - Fisher and Ury
- Intercultural Business Communication - Robert Gibson

Examination

Mediation

written exam / length of examination: 90 minutes, graded

Examination

Written Assignment

term paper, graded

Module JUR-8310: Contract Law <i>Contract Law</i>		6 ECTS/LP
Version 1.6.0 Person responsible for module: Dr. Stefan Lorenzmeier Erin Moody		
Contents: Sale of Goods, The Law of Contracts, The Common Law		
Learning Outcomes / Competences: Contract law is the law of promises and obligations. It governs private law between two parties. This course will focus primarily on United States law as it relates to contracts and sale of goods. Students will study contract formation, enforcement, interpretation, performance, breach, sales and the statute of frauds, battle of the forms, and remedies. Students will be introduced to the Uniform Commercial Code and the Restatement of Contracts. Students will read leading cases and draw principles from the court's application of the law. Students will be expected to critically examine contract doctrine and apply it to new facts.		
Remarks: Only available to law students from Erasmus partner universities of the Faculty of Law or law students from university-wide partner universities.		
Conditions: Students may have to take the Oxford Online Placement Test, offered by the faculty during the first week of classes each semester, and achieve a score that is at least equivalent to the required C1 language level if they can't already provide valid official test results i.e. TOEFL or are native Speakers. Registration is done via Digicampus with the event name "Oxford Online Placement Test for Erasmus Incoming Students". There you will also find all further information about the test.		Credit Requirements: Passing the module exam
Frequency: each summer semester	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 2	Repeat Exams Permitted: none	
Parts of the Module		
Part of the Module: Contract Law Mode of Instruction: lecture Language: English		
Literature: <ul style="list-style-type: none"> • Randall Kennedy's Contracts: Happiness and Heartbreak 2nd Ed - Available as .pdf • Uniform Commercial Code 		
Assigned Courses: Contract Law, Group A (lecture) ** Contract Law, Group B (lecture) **		
Examination Contract Law written exam / length of examination: 2 hours, graded		

Module JUR-8311: Tort Law <i>Tort Law</i>		6 ECTS/LP
Version 1.0.0 Person responsible for module: Dr. Stefan Lorenzmeier Erin Moody		
Contents: <ul style="list-style-type: none"> • Common Law • US Law • Tort Law • Restitution & Damages 		
Learning Outcomes / Competences: Tort is the law of civil harms and civil remedies. The primary concern of tort law is whether one whose actions harm another should be required to pay compensation for the harm done. This course will focus primarily on the doctrines of Negligence and Recklessness in the United States. This will cover a broad range of situations, including personal injury, industrial harms, medical mishaps, and perhaps, consumer products liability. Towards the end of the semester, it will look at intentional torts. It will also look at "strict liability" torts and the difference between strict liability and general liability. In both intentional and unintentional tort, theories of vicarious liability will be covered. This class will be weighted towards an American understanding of torts, but students should expect to see some UK tort law as well. Students should be able to identify tort scenarios and assess the likelihood of recovery. Students will read leading cases and identify relevant rulings.		
Remarks: Only available to law students from Erasmus partner universities of the Faculty of Law or law students from university-wide partner universities.		
Conditions: Students may have to take the Oxford Online Placement Test, offered by the faculty during the first week of classes each semester, and achieve a score that is at least equivalent to the required C1 language level if they can't already provide valid official test results i.e. TOEFL or are native Speakers. Registration is done via Digicampus with the event name "Oxford Online Placement Test for Erasmus Incoming Students". There you will also find all further information about the test.		Credit Requirements: Passing the module exam
Frequency: each summer semester	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 2	Repeat Exams Permitted: none	
Parts of the Module		
Part of the Module: Tort Law Mode of Instruction: lecture Language: English		
Literature: Tort Law and Alternatives: Cases and Materials (University Casebook Series), 10th Edition by Marc Franklin, Robert Rabin, Michael Green, Mark Geistfeld		
Assigned Courses: Anmeldeberechtigung für Tort Law <i>*(online/digital) *</i> Tort Law, Group A (lecture)		

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Tort Law, Group B (lecture)

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Examination

Tort Law

written exam / length of examination: 2 hours, graded

Module JUR-8312: Intellectual Property Law (FRA) <i>Intellectual Property Law (FRA)</i>		6 ECTS/LP
Version 1.5.0 Person responsible for module: Dr. Stefan Lorenzmeier Erin Moody		
Contents: <ul style="list-style-type: none"> • Common Law • US Law • Copyright Law • Patent Law • Trademark Law • Trade Secret Law 		
Learning Outcomes / Competences: Intellectual property is the study of the economic rights attached to intangible "property." This course will discuss the nature of Intellectual Property, including whether it should be considered property at all. It will also discuss the different approaches to Intellectual Property, and why the justifications underpinning the system matter. It will then turn to the various branches of IP in the United States, namely patent, trademark, and copyright and the related rights. Time permitting trade secret law will be discussed. Students will read leading cases and commentary. Students will understand the broad stroke outlines of the doctrines of patent, trademark, copyright and trade secret. Students will learn how to conduct a fair use analysis in Trademark and Copyright. Students will be able to explain the justification and extent of patent protection.		
Remarks: Only available to law students from Erasmus partner universities of the Faculty of Law or law students from university-wide partner universities.		
Conditions: Students may have to take the Oxford Online Placement Test, offered by the faculty during the first week of classes each semester, and achieve a score that is at least equivalent to the required C1 language level if they can't already provide valid official test results i.e. TOEFL or are native Speakers. Registration is done via Digicampus with the event name "Oxford Online Placement Test for Erasmus Incoming Students". There you will also find all further information about the test.		Credit Requirements: Passing the module exam
Frequency: each summer semester	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 2	Repeat Exams Permitted: none	
Parts of the Module		
Part of the Module: Intellectual Property Law		
Mode of Instruction: lecture		
Language: English		
Literature: <ol style="list-style-type: none"> 1. INTELLECTUAL PROPERTY: LAW & THE INFORMATION SOCIETY Cases & Materials 4th Ed. James Boyle & Jennifer Jenkins 2. INTELLECTUAL PROPERTY: LAW & THE INFORMATION SOCIETY Supplement for 4th Edition, August 2019. James Boyle & Jennifer Jenkins 		
Assigned Courses:		

Intellectual Property Law, Group A (lecture)

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Intellectual Property Law, Group B (lecture)

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Examination

Intellectual Property Law

written exam / length of examination: 2 hours, graded

Module JUR-8315: Case Analysis <i>Case Analysis</i>		6 ECTS/LP
Version 1.3.0 Person responsible for module: Elizabeth O'Leary		
Learning Outcomes / Competences: Students should be able to analyze a common law court judgment and extract the rule or law which governs the pertinent legal issue. Students should be able to explain case relevant legal and business concepts. Students should be able to distinguish between the ratio decidendi and obiter dicta in a court opinion. Participants will learn to use legal reasoning to support their legal position using analogy, judicial tests, balancing of factors and public policy arguments. Students will independently research cases and apply the legal principles extracted to cases at hand. Students will perfect their legal writing and legal oratory skills through participation in moot court exercises.		
Remarks: Only available to law students from Erasmus partner universities of the Faculty of Law or law students from university-wide partner universities.		
Workload: Total: 180 h 21 h lecture and exercise course (attendance) 40 h preparation of presentations (self-study) 40 h preparation of written term papers (self-study) 40 h studying of course content using provided materials (self-study) 39 h studying of course content using literature (self-study)		
Conditions: Students should have an excellent command of business and legal English (C1). Certificate required. Students may have to take the Oxford Online Placement Test, offered by the faculty during the first week of classes each semester, and achieve a score that is at least equivalent to the required language level if they can't already provide valid official test results i.e. TOEFL or are native Speakers. Registration is done via Digicampus with the event name "Oxford Online Placement Test for Erasmus Incoming Students". There you will also find all further information about the test. Prior to commencing the course, students should keep themselves well informed of leading cases in common law jurisdictions.		Credit Requirements: written exam, Presentation and written assignment
Frequency: each summer semester	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 2	Repeat Exams Permitted: none	
Parts of the Module		
Part of the Module: Case analysis Mode of Instruction: lecture + exercise Language: English		

Contents:

- Common Law terminology in practice
- Preparing case briefs
- Reading and applying court opinions
- Developing legal arguments
- Interpreting statutes and court rules
- Articulating legal arguments in writing
- Perfecting oratory skills

Literature:

- Commercial Law: Text, Cases and Materials Clarke, Hooley , Munday & Others (OUP 2017)
- <https://www.supremecourt.uk/>
- <https://beta.courts.ie/judgments>
- <https://www.supremecourt.gov/default.aspx>
- https://curia.europa.eu/jcms/jcms/j_6/en/

Assigned Courses:

Case analysis (lecture)

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Examination

Assignment (Case brief)

term paper, graded

Examination

Klausur Case analysis

written exam / length of examination: 90 minutes, graded

Examination

Presentation

/ length of examination: 30 minutes, graded

Module JUR-8316: Business Law Topics 2 <i>Business Law Topics 2</i>		6 ECTS/LP
Version 1.0.0 Person responsible for module: Elizabeth O'Leary		
Contents: <ul style="list-style-type: none"> • Labour relations • Accounting Frauds • Innovation and start ups • Intercultural traits and competence • Financing and Environmental Sustainability • White-collar crime 		
Learning Outcomes / Competences: Students will be introduced to the legal and business terminology and concepts with specific focus on current affairs and events. Students will examine the interplay and overlap between legal and business topics and analyse the influence and restriction they have on each other. Students will analyse and evaluate business and legal topics on an individual country basis and from an international basis. Students will evaluate the influence societal and political norms have on business and law. Students will recommend need for reform on business and law from a domestic and global standpoint. Students' networking, negotiation and persuasion skills will be trained on an individual and a team basis. Intercultural competence will be developed.		
Remarks: Only available to law students from Erasmus partner universities of the Faculty of Law or law students from university-wide partner universities.		
Conditions: Students should have good language skills (minimum B2/C1) and should be familiar with basic business and legal English terminology. Students may have to take the Oxford Online Placement Test, offered by the faculty during the first week of classes each semester, and achieve a score that is at least equivalent to the required C1 language level if they can't already provide valid official test results i.e. TOEFL or are native Speakers. Registration is done via Digicampus with the event name "Oxford Online Placement Test for Erasmus Incoming Students". There you will also find all further information about the test.		Credit Requirements: Passing the module exam
Frequency: each summer semester	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 2	Repeat Exams Permitted: none	

Parts of the Module
Part of the Module: Business Law Topics 2 Mode of Instruction: lecture Language: English
Lehr-/Lernmethoden: Socratic method, lecture, experiential learning
Literature: Legal and Business reports and journals
Assigned Courses: Business Law Topics (lecture)

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Examination

Business Law Topics 2

written exam / length of examination: 90 minutes, graded

Module JUR-8317: Concepts of Law and Business II <i>Concepts of Law and Business II</i>		12 ECTS/LP
Version 1.3.0 Person responsible for module: Elizabeth O'Leary		
Learning Outcomes / Competences: Students will gain an insight into the Anglo-American legal system. Students will be able to analyse common law cases and extract legal principles from them and assess the relationship between legal reasoning, interpretation and policy. Students will complete legal research and apply their findings to fact-based business situations. Students will be able to compare, contrast and critically evaluate different legal systems. Students will be made aware of intercultural differences and of their effect on business and how to successfully incorporate these differences in networking, discussion and argumentation, negotiation and in preparing and presenting business plans.		
Remarks: Students must register on www.digicampus.de . The number of participants ist limited. Only available to law students from Erasmus partner universities of the Faculty of Law or law students from university-wide partner universities.		
Conditions: Students should have good language skills (minimum B2/C1) and should be familiar with basic legal English terminology. Students may have to take the Oxford Online Placement Test, offered by the faculty during the first week of classes each semester, and achieve a score that is at least equivalent to the required language level if they can't already provide valid official test results i.e. TOEFL or are native Speakers. Registration is done via Digicampus with the event name "Oxford Online Placement Test for Erasmus Incoming Students". There you will also find all further information about the test.		Credit Requirements: Passing the module exam
Frequency: each summer semester	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 4	Repeat Exams Permitted: none	

Parts of the Module
Part of the Module: Business and Legal Communication Mode of Instruction: lecture Language: English
Contents: <ul style="list-style-type: none"> • Tort Law • Business Organizations • Financing and Bankruptcy • Employment Law • Accounting and Auditing • Tax • Intercultural Training • Legal Research and Writing • Negotiation, Presentation and Advocacy

Literature:

- Legal Writing Coach - Chris Jensen (2nd Edition)
- Intercultural Business Communication - Robert Gibson
- Modern Legal Drafting - Peter Butt (3rd Edition)

Assigned Courses:

Concepts of Law and Business - Modulteil: Business and Legal Communication, Group A (lecture)

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Concepts of Law and Business - Modulteil: Business and Legal Communication, Group B (lecture)

**

Concepts of Law and Business - Modulteil: Business and Legal Communication, Group C (lecture)

**

Examination

Business and Legal Communication

portfolio exam, Special examination for incoming students, graded

Description:

written assignment and 90 minute exam

Module JUR-8318: Practical Law: Negotiation and Discussion <i>Practical Law: Negotiation and Discussion</i>		6 ECTS/LP
Version 1.0.0 Person responsible for module: Dr. Stefan Lorenzmeier Trudi Klein		
Contents: <ul style="list-style-type: none"> • The importance of good communication in a legal context • Understanding the importance of cultural awareness in international negotiations. • Overview of the operation of the English Legal System and difference between civil and common law • Verbal and non-verbal Presentation Skills • The art of listening to obtain information • Client interviews and legal discussion - application of relevant law in selected practical role play and case study contexts, including developing the use of formal professional language skills and practicing the art of persuasive oral argument in a business/legal context. • The role of politeness • Negotiating strategies and styles and dealing with conflict - including various practical legal negotiation exercises • Presenting legal argument to a Judge – understanding the language and structure of oral court based arguments. 		
Learning Outcomes / Competences: Students will gain an understanding of the importance of using good communication skills in a legal context when advising clients; in business discussions; in settlement negotiations and when presenting legal argument in Court. They will gain an insight into the principles of preparing persuasive argument and dealing with conflict situations. The overall aim of the course is to practice soft skills required in the practise of law in a common law English speaking country. Students will be examined on their ability to present a clear and persuasive legal argument.		
Remarks: Only available to law students from Erasmus partner universities of the Faculty of Law or law students from university-wide partner universities.		
Conditions: Students must achieve required level in English		Credit Requirements: Passing the module exam
Frequency: irregular (usu. winter semester)	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 2	Repeat Exams Permitted: none	
Parts of the Module		
Part of the Module: Practical Law: Negotiation and Discussion		
Mode of Instruction: lecture + exercise		
Language: English		
Lehr-/Lernmethoden: Lectures including practical activities to promote learning such as role play; group discussion; practical application of legal principles and fact specific problem solving		
Literature: No specific literature required due to broad nature of subject. Further reading (not necessary for course): <ul style="list-style-type: none"> • Legal English (4th Edition)- Rupert Haigh 		

Examination

Practical Law: Negotiation and Discussion

oral exam, graded

Description:

Students will be assessed on their ability to present a clear and persuasive legal argument in a given setting.

Module JUR-8319: Practical Law: Case Preparation and Presentation <i>Practical Law: Case Preparation and Presentation</i>		6 ECTS/LP
Version 1.0.0 Person responsible for module: Dr. Stefan Lorenzmeier Trudi Klein		
Contents: <ul style="list-style-type: none"> • Practical application of communication skills, primarily through legal writing and presentation in the context of a common law legal case • Overview of the operation of the English Legal System and difference between civil and common law • The importance of good writing – practical exercises in the context of procedural steps and advising in a civil claim • Application of relevant law – identifying relevant law in set contexts; including the application of the case precedent system • Presenting the evidence - types and rules of evidence and analysing a criminal trial • Opening and closing speeches - how to make a persuasive argument • Presenting a mock trial – considering case strategy, students practice being witnesses and lawyers in the context of a short mock trial 		
Learning Outcomes / Competences: Students will gain an understanding of the stages leading up to and including the presentation of a common law trial, including an insight into the application of the case precedent system. The aim of the course is to practice soft skills required to present a legal case in a common law English speaking country, including writing skills in legal English, and presentation of evidence and legal argumentation in a mock court setting. Students will be examined on their ability to present a clearly understandable and persuasive opening or closing argument by way of oral examination.		
Remarks: Only available to law students from Erasmus partner universities of the Faculty of Law or law students from university-wide partner universities.		
Conditions: Students must achieve required level in English		Credit Requirements: Passing the module exam
Frequency: irregular (usu. summer semester)	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 2	Repeat Exams Permitted: none	
Parts of the Module		
Part of the Module: Practical Law: Case Preparation and Presentation		
Mode of Instruction: lecture + exercise		
Language: English		
Lehr-/Lernmethoden: Lectures including practical activities to promote learning such as role play; group discussion; practical application of legal principles and fact specific problem solving		
Literature: No specific literature required due to broad nature of subject. Further reading (not necessary for course): <ul style="list-style-type: none"> • Legal Writing in Plain English 2nd Edition Bryan A. Garner • Legal English (4th Edition) - Rupert Haigh 		
Assigned Courses:		

Practical Law: Case preparation and presentation - only for incoming students (lecture)

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Examination

Practical Law: Case Preparation and Presentation

oral exam, graded

Description:

Students will be assessed on their ability to present a clearly understandable and persuasive opening or closing argument (to be specified) from mock trial evidence previously presented.

Module JUR-8320: United Nations Convention on Contracts for the International Sale of Goods (CISG) <i>CISG (UN-Kaufrecht)</i>		3 ECTS/LP
Version 1.0.0 Person responsible for module: Prof. Dr. Raphael Koch		
<p>Learning Outcomes / Competences:</p> <p>The lecture is on the United Nations Convention on Contracts for the International Sale of Goods (CISG). The CISG is a sales law treaty with acceptance on a worldwide scale. Globalisation of markets demands international unification of the law of sales contracts. Disparities in national laws governing international trade create obstacles to the flow of trade. The CISG can provide legal certainty for contract parties and predictability of legal decisions.</p> <p>The aim of this lecture is to acquaint the students with the CISG and learn how it regulates the international sale of goods between parties which have their place of business in different states.</p> <p>The content of this lecture will be amongst others the scope of application of the Convention, the formation of the contract, the obligations of the seller and the buyer and consequences of breach of contract.</p>		
<p>Remarks:</p> <p>The course will be held as part of the "Augsburg Summer Program" in the second half of the summer semester.</p> <p>Disability Services: The course will comply with the requirements of the Americans with Disabilities Act and any law school or university rules to accommodate students with disabilities. Students with disabilities may ask the Dean of Students office to arrange note taking for the class and may request additional time to complete the exam.</p>		
<p>Workload:</p> <p>Total: 90 h 11 h lecture (attendance)</p>		
<p>Conditions:</p> <p>Students should have basic knowledge in contract law and should be interested in transnational sales law.</p>		<p>Credit Requirements:</p> <p>Passing the module exam</p>
<p>Frequency: each summer semester</p>	<p>Recommended Semester:</p>	<p>Minimal Duration of the Module:</p> <p>1 semester[s]</p>
<p>Contact Hours:</p> <p>1</p>	<p>Repeat Exams Permitted:</p> <p>none</p>	
<p>Parts of the Module</p>		
<p>Part of the Module: CISG (UN-Kaufrecht)</p> <p>Mode of Instruction: lecture Lecturers: Prof. Dr. Raphael Koch, Prof. Dr. Phillip Hellwege Language: English / German</p>		
<p>Learning Outcome:</p> <p>ABA Statement of Learning Outcomes: A student who completes this course should have knowledge and understanding of the challenges of the CISG and of sales law in general. Students should be able to see similarities and differences to their national law.</p>		

Contents:

§ 1 Introduction

- I. Overview on the CISG II. When does the CISG apply (Overview)?
- III. History and background
- IV. Structure of the CISG

§ 2 Scope of application of the Convention

- I. Contract of sale of goods
- II. Internationality
- III. Connection to a contracting state
- IV. Temporal scope of application
- V. Party autonomy

§ 3 General provisions

- I. Interpretation of the Convention
- II. Gap filling
- III. Interpretation of declarations of parties
- IV. Interpretation of the contract
- V. Usages and trade practices
- VI. Form requirements

§ 4 Formation of the contract

- I. Offer
- II. Acceptance
- III. Specific issues
- IV. Modification of the contract

§ 5 Obligations of the parties

- I. General provisions
- II. Obligations of the seller
- III. Obligations of the buyer

§ 6 Breach of contract

- I. Rights of the buyer
- II. Rights of the seller
- III. Passing of risk
- IV. Provisions common to the obligations of the seller and of the buyer

§ 7 Final provisions

Lehr-/Lernmethoden:

Readings: Readings and case studies will be sent by e-mail or will be available as a download.

Class participation: All students must be prepared to participate actively in discussions. Case studies have to be prepared in group work and be presented in class.

Literature:

In the respective current editions:

- Güllemann, Internationales Vertragsrecht – Internationales Privatrecht, UN-Kaufrecht und Internationales Zivilverfahrensrecht;
- Huber/Mullis, The CISG – A new textbook for students and practitioners;
- Schlechtriem/Schroeter, Internationales UN-Kaufrecht, Ein Studien- und Erläuterungsbuch zum Übereinkommen der Vereinten Nationen über Verträge über den internationalen Warenkauf (CISG);
- Schwenger/Fountoulakis/Dimsey, International Sales Law. A Guide to the CISG.

Assigned Courses:

CISG (UN-Kaufrecht) (lecture)

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Examination

Klausur CISG (UN-Kaufrecht)

written exam / length of examination: 60 minutes, graded

Description:

The grade will be based on a 60-minute written exam that will test students' ability to understand and address the legal challenges that parties applying the CISG face.

Module JUR-8321: Comparative Venture Capital Law <i>Comparative Venture Capital Law</i>		3 ECTS/LP
Version 1.2.0 Person responsible for module: Prof. Dr. Thomas Möllers Prof. Manns		
Contents: This class is designed to provide an overview of the legal issues facing start-up companies at each stage of their development. First, we will go over the basics of agency law. Agency law is important at every stage of a company's development in creating defaults for employer-employee relationships, but it is particularly important at the formative phase of a business. Second, we will then discuss the choice of business entity, the challenges companies face during the incorporation process, and the need to create incentive structures to retain and attract talent. Third, we will go over the legal and financial issues facing venture capitalists and the formation of venture capital funds. We will focus primarily on the US start-up company context because it is a leading center for entrepreneurship and capital markets, although start-ups in Europe and every part of the globe face similar issues and choices.		
Remarks: The course will be held as part of the "Augsburg Summer Program" in the second half of the summer semester. Disability Services: The course will comply with the requirements of the Americans with Disabilities Act and any law school or university rules to accommodate students with disabilities. Students with disabilities may ask the Dean of Students office to arrange note taking for the class and may request additional time to complete the exam.		
Conditions: none		Credit Requirements: Passing the module exam
Frequency: irregular (usu. summer semester)	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 1	Repeat Exams Permitted: none	
Parts of the Module		
Part of the Module: Comparative Venture Capital Law		
Mode of Instruction: lecture Language: English		
Learning Outcome: ABA Statement of Learning Outcomes: A student who completes this course should have knowledge and understanding of the challenges in going down an entrepreneurial path and navigating the distinctive regulatory obligations and uncertainties that early stage companies face.		

Contents:

Part I: Overview of Business Planning and Venture Capital Law

Introduction / Agency Law / Choice of Business Entity

- Class 1 - Entrepreneurship and Agency Law Part I
Reading: Entrepreneurship and Agency Part I
- Class 2 - Entrepreneurship and Agency Law Part II
Reading: Entrepreneurship and Agency Part II
- Class 3 - Choice of Business Entity
Reading: Organizational Choices

Part II: Incorporation Issues / Corporate Finance / Venture Capital Law

- Class 4 - Incorporation Issues
Reading: Incorporation Issues
- Class 5 - Corporate Finance and Venture Capital Law Part I
Reading: Venture Capital Part I
- Class 6 - Corporate Finance and Venture Capital Law Part II
Reading: Venture Capital Part II

Lehr-/Lernmethoden:

Readings: Readings will be sent by e-mail in advance of each class. To save you money, I will use pdfs or links to all of the class materials.

Class participation: All students must be prepared to participate actively in discussions

Assigned Courses:

Comparative Venture Capital Law (lecture)

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Examination

Comparative Venture Capital Law

written exam / length of examination: 60 minutes, graded

Description:

The grade will be based on a 60-minute written exam that will test students' ability to understand and address the legal challenges that start-up companies face.

Module JUR-8322: European and WTO Law <i>Europäisches und Internationales Wirtschaftsrecht</i>		6 ECTS/LP
Version 1.6.0 Person responsible for module: Prof. Dr. Thomas Möllers		
<p>Contents:</p> <p>The course will give you an overview about the most important institutions, principles and the enforcement of European and WTO law. It will focus on the area of European Intellectual Property Law.</p> <p>The first part of the lecture concerns the basics or foundations of European law, i.e., the history, the institutions, the fundamental principles, and the enforcement of EC Law.</p> <p>Furthermore, the course examines the law of the common market. It covers the economic policy and the four basic freedoms, that is, the free movement of goods and for workers and the freedom of services and establishment. The law of harmonization examines the advantages and disadvantages of legal harmonization. The enforcement of law shows how European Law can be enforced as a supranational source of law.</p> <p>The second part examines the International Economic law, especially the WTO agreement. The lecture focuses on the institutions, principles of the GATT, and the Enforcement of the GATT. The lecture ends with an epilogue about Europe and the WTO in the 21st century.</p>		
<p>Learning Outcomes / Competences:</p> <p>A student who completes this course should have knowledge and understanding of the challenges of International Economic law, especially the WTO agreement.</p>		
<p>Remarks:</p> <p>The course will be held as part of the "Augsburg Summer Program" in the second half of the summer semester.</p>		
<p>Workload:</p> <p>Total: 180 h 21 h lecture (attendance) 79 h studying of course content using literature (self-study) 80 h studying of course content using provided materials (self-study)</p>		
<p>Conditions:</p> <p>The course will be held partly in English, therefore English language skills, both spoken and written, are a prerequisite. Basic knowledge of European law is also an advantage.</p>		<p>Credit Requirements:</p> <p>Passing the module exam</p>
<p>Frequency: each summer semester</p>	<p>Recommended Semester:</p>	<p>Minimal Duration of the Module:</p> <p>1 semester[s]</p>
<p>Contact Hours:</p> <p>2</p>	<p>Repeat Exams Permitted:</p> <p>none</p>	
<p>Parts of the Module</p>		
<p>Part of the Module: European and WTO Law</p> <p>Mode of Instruction: lecture Language: English / German</p>		

Contents:

Class 1 – Part 1: Foundations of the European Union Law

- § 1 History of European Integration
- § 2 The Institutional System of the European Union

Class 2 – Part 2: Foundations of the European Union Law

- § 3 European Law: Direct Applicability, Supremacy, Direct
- § 4 The Relation between the EU and the States Member (Competences, Subsidiarity)

Class 3 - Part 3: Foundations of the European Union Law

- § 5 European Fundamental Rights
- § 6 Enforcement of European Law

Class 4 – The Internal Market

- § 7 The Internal Market and Relevant Principles (Non-Discrimination, Proportionality)
- § 8 Free Movement of Goods

Class 5 – The Internal Market

- § 9 The other Basic Freedoms, Art. 45 – 66 TFEU
- § 10 Further Restrictions of Competition
- § 11 Law of Harmonization, e.g., Intellectual Property

Class 6 – WTO Law – Foundations, Principles and Enforcement

- § 12 Basics, History and Organization, Principles and Structure of World Trade Law
- § 13 Dispute Settlement and the Enforcement on the European and National Level
- § 14 Outlook: Europe and the WTO in the 21st Century

Lehr-/Lernmethoden:

Two-third of the time is held as a lecture. The rest of the time is used for discussing cases and analyzing the line of arguments and arguing the cases (moot-court). Therefore, it is obligatory to read the cases completely in advance. All students must be prepared to participate actively in discussions.

Literature:

The Reader and the Powerpoint Presentation will be distributed in class and available for download on Digicampus.

In addition the following reading assignments are recommended, each in the current editions:

- Steiner/Woods, EU Law;
- Chalmers/Davies/Monti, European Union Law: Cases and Materials;
- Craig/de Búrca, EU Law: Text Cases and Materials.

also:

- Möllers, The Role of Law in European Integration, 48 American Journal of Comparative Law (Am.J.CompL), 679 - 711 (2000);
- Möllers, European Directives on Civil Law - Shaping a new German Civil Code, 18 Tulane European & Civil Law Forum, 1 - 37 (2003).

Assigned Courses:

Europäisches und internationales Wirtschaftsrecht (European and WTO Law) (lecture)

**

Examination

Europäisches und Internationales Wirtschaftsrecht

written exam / length of examination: 120 minutes, graded

Description:

The grade will be based on a 2-hour written exam that will test students' ability to understand and address the legal basics or foundations of European law and challenges of International Economic law, especially the WTO agreement.

Module JUR-8323: European Contract Law <i>European Contract Law</i>		3 ECTS/LP
Version 1.2.0 Person responsible for module: Prof. Dr. Thomas Möllers Prof. Enrico Camilleri		
Contents: The implementation of some specific sectors of contract law in the framework of EU legislation has become an important issue for many subjects. In the most of cases the legislative body of the European community has followed the so-called soft harmonization approach, by adopting directives on contractual matters. One of the objectives of this course is to present an overall picture of contracts in European law, but it is also dedicated to enhancing critical analysis of some European contract law institutions, focusing in particular on the functioning of the common market. A special attention will be devoted to the European competition law and its interference with the law of contracts and the party autonomy in general. By the attendancy of the course, the students will receive professional training in this area of law, in accordance with the labor market.		
Learning Outcomes / Competences: This course is intended for the student to gain training and skills necessary to: <ul style="list-style-type: none"> 1. analyze the basic principles ruling contracts at European level 2. analyze the differences and compatibility of national contracts with European law of contracts 3. analyze the compatibility of single contractual clauses with antitrust law. 		
Remarks: The course will be held as part of the "Augsburg Summer Program" in the second half of the summer semester.		
Conditions: none		Credit Requirements: Passing the module exam
Frequency: irregular (usu. summer semester)	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 1	Repeat Exams Permitted: none	
Parts of the Module		
Part of the Module: European Contract Law		
Mode of Instruction: lecture Language: English		
Learning Outcome: A student who completes this course will be able to analyze the basic principles ruling contracts at European level, know the differences and compatibility of national contracts with European law of contracts and analyze the compatibility of single contractual clauses with antitrust law.		

Contents:

Class 1: EU: Institutional Framework and field of Competencies-

European Contract Law as a project and a set of rules

Reading: *Collins*, Why Europe needs a civil code?, *European Review of Private Law*, 4-2013, [907–922]

Class 2: The cornerstones of European contract Law

Reading: *Hesselink*, Towards a Sharp Distinction between b2b and b2c?

On Consumer, Commercial and General Contract Law after the Consumer Rights Directive, *European Review of Private Law*, 1-2010, [57–102]

Class 3: Rights and Remedies in European Contract Law: The New Deal for Consumers

Reading:

Dougan, Primacy and the remedy of disapplication, *Common Market Law Review* 56: 1459–1508, 2019

Tommasi, The 'New Deal' for Consumers: Towards More Effective Protection?, *European Review of Private Law*, 2-2020 [311–332]

Farina, Unfair Terms and Supplementation of the Contract, *European Review of Private Law*, 3-2021 [441–462]

Class 4: Rights and remedies: The New Deal for Consumers

Reading:

Cafaggi-Iamiceli, The Principles of Effectiveness, Proportionality and Dissuasiveness in the Enforcement of EU Consumer Law: The Impact of a Triad on the Choice of Civil Remedies and Administrative Sanctions, *European Review of Private Law*, 03-2017, [575–618]

Durovic-Lech, A Consumer Law Perspective on the Commercialization of Data, *European Review of Private Law*, 5-2021 [701–732]

Scott, Consumer Law, Enforcement and the New Deal for Consumers, *European Review of Private Law*, 6-2019 [1279–1296]

Class 5: European Contract Law and European Competition Law

Reading:

Nowag-Tarkkila, How Much Effectiveness for The Eu Damages Directive? Contractual Clauses and Antitrust Damages Actions, *Common Market Law Review* 57: 433–474, 2020

Staudenmayer, The Directives on Digital Contracts: First Steps Towards the Private Law of the Digital Economy, *European Review of Private Law*, 2-2020 [219–250]

Andenas-Della Negra, Between Contract Law and Financial Regulation: Towards the Europeanisation of General Contract Law, *European Business Law Review*, 2017 [499-521]

Class 6: European Contract Law and European Competition Law: Digital Market Act and Digital Services Act

Reading:

Eifert-Metzger-Schweitzer-Wagner, Taming the Giants: the Dma/Dsa Package, *Common Market Law Review* 58: 987–1028, 2021

Tommasi, The Liability of Internet Service Providers in the Proposed Digital Services Act, *European Review of Private Law*, 6-2021, [925–944]

Tereszkiewicz, Digital Platforms: Regulation and Liability in the EU Law, *European Review of Private Law*, 6-2019, [903–920]

Lehr-/Lernmethoden:

Literature:

The following reading assignments are recommended:

- *Dougan*, PRIMACY AND THE REMEDY OF DISAPPLICATION *Common Market Law Review* 56: 1459–1508, 2019;
- *Hesselink*, Towards a Sharp Distinction between b2b and b2c?
On Consumer, Commercial and General Contract Law after the Consumer Rights Directive, *European Review of Private Law* 1-2010[57–102]
- *Collins*, Why Europe needs a civil code?, *European Review of Private Law* 4-2013 [907–922]
- *Cafaggi-lamiceli*, The Principles of Effectiveness, Proportionality and Dissuasiveness in the Enforcement of EU Consumer Law: The Impact of a Triad on the Choice of Civil Remedies and Administrative Sanctions *European Review of Private Law* 03-2017 [575–618]

Assigned Courses:

European Contract Law (lecture)

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Examination

European Contract Law

written exam / length of examination: 60 minutes, graded

Module JUR-8324: German and European Company Law <i>Deutsches und Europäisches Kapitalgesellschaftsrecht</i>		6 ECTS/LP
Version 1.0.0 Person responsible for module: Prof. Dr. Thomas Möllers		
Contents: In the last twenty years company law has been developed on a European level. This development has led to many directives on harmonizing company law. Harmonization is necessary because legal systems in the member states are based on different points of view. In Europe, on the one hand, the one-tier-board system and, on the other hand, the two-tier-board system exists for a company's management. Furthermore, some member states require strong worker participation. Harmonization within the European Union has made rapid progress during the last few years. The major impulses for these recent changes were discussions about corporate governance and some leading cases by the European Court of Justice.		
Learning Outcomes / Competences: The aim of the course is to provide students with an in-depth understanding of German and European corporate law. The students understand the relevant European directives and their implementation in national law. In addition, the students learn the terminology and the structural basics of the different corporations. After successful completion of the module, students will have a comprehensive overview of how to deal with the main national standards, European regulations and the underlying economic policy aspects.		
Remarks: The course will be held as part of the "Augsburg Summer Program" in the second half of the summer semester.		
Workload: Total: 180 h		
Conditions: The course will be held in English, therefore English language skills in spoken and written are a prerequisite. Basic knowledge of corporate law is an advantage.		Credit Requirements: Passing the module exam
Frequency: each summer semester	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 2	Repeat Exams Permitted: none	
Parts of the Module		
Part of the Module: Europäisches Kapitalgesellschaftsrecht (Grundlagen und Vertiefung) Mode of Instruction: lecture Language: English / German		

Contents:

A. BASICS

- § 1 Basics of German Company Law
- § 2 History and Overview of European Company Law
- § 3. Overview and Structure of European Company Law

B. LEGAL HARMONISATION OF EUROPEAN COMPANY LAW

- § 4. Formation, Capital Protection
- § 5. Accounting
- § 6. Corporate Governance
- § 7. Public Disclosure – Companies listed on a stock exchange
- § 8. Delisting
- § 9. Takeover Law and the Free Movement of Capital
- § 10. Group of Companies
- § 11. Crossborder Mergers, Transferring the Seat

C. SUPRANATIONAL EUROPEAN COMPANIES

- § 12. Supranational European Companies: EEIG, SE, EPC, SUP etc

D. CONCLUSIONS FOR EUROPEAN COMPANY LAW

- § 13 Final Remarks

Literature:

Textbooks in the current editions, e.g.:

- Möllers, Thomas M.J., Gesellschafts- und Unternehmensrecht, kleinere und mittlere Unternehmen, in: Schulze, Reiner/Zuleeg, Manfred/Kadelbach, Stefan (Hrsg.), Europarecht. Handbuch für die deutsche Rechtspraxis;
- Wirth, Gerhard/Arnold, Michael/Morshäuser, Ralf/Greene, Mark, Corporate Law in Germany;
- Hirte, Heribert, Kapitalgesellschaftsrecht;
- Lutter, Marcus/Bayer, Walter/Schmidt, Jessica, Europäisches Unternehmens- und Kapitalmarktrecht;
- Raiser/Veil, Recht der Kapitalgesellschaften;
- Grundmann, Stefan, Europäisches Gesellschaftsrecht, Eine systematische Darstellung unter Einbeziehung des Europäischen Kapitalmarktrechts.

also:

- Berichte von Hirte, Die Entwicklung des Unternehmens – und Gesellschaftsrechts in Deutschland jeweils in der NJW

Assigned Courses:

Europäisches Kapitalgesellschaftsrecht (Grundlagen und Vertiefung), SP III, VII (Company Law) (lecture)

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Examination

Europäisches Kapitalgesellschaftsrecht

written exam / length of examination: 120 minutes, graded

Description:

The exam will be held in English.

Module JUR-8325: Intellectual Property Law (SP) <i>Intellectual Property Law (SP)</i>		3 ECTS/LP
Version 1.2.0 Person responsible for module: Prof. Dr. Michael Kort		
Contents: The first part of the course is an overview on Patent Law, Design Law, Trademark Law, Copyright Law and Enforcement of IP Law as the main branches of IP Law. The second part deals with US IP Law, i.e. with US Patent Law, US Trademark Law and US Copyright Law, the third part with European IP Law, i.e. with European Patent Law, European Trademark Law, European Copyright Law and other branches of European IP Law, the fourth part with International Intellectual Property Law, mainly with the Paris and the Berne Convention and TRIPS, the fifth part with particular Technology and Biotechnology aspects of IP Law and the sixth part with the tension between IP Law and requirements of protection of Traditional Cultural Knowledge.		
Learning Outcomes / Competences: Students should be able to deal with IP cases which may have an international dimension. Students should take the principle of territoriality of IP Law into account. Further, they should be familiar with methods of enforcement of IP Law. They should have a basic knowledge on statutory IP provisions in the US and in Europe. They should be able to see the similarities and the differences between US and EU IP Law. Further, they should know about the international dimension of IP Law and the main Treaties like TRIPS.		
Remarks: The course will be held as part of the "Augsburg Summer Program" in the second half of the summer semester.		
Conditions: none		Credit Requirements: Passing the module exam
Frequency: each summer semester	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 1	Repeat Exams Permitted: none	
Parts of the Module		
Part of the Module: Intellectual Property Law		
Mode of Instruction: lecture Language: English		
Contents: Part I: Overview Part II: US IP Law Part III: European IP Law Part IV: International IP Law Part V: Technology/Biotechnology Part VI: Traditional Cultural Knowledge		
Lehr-/Lernmethoden: All students must be prepared to participate actively in discussions.		
Literature: The course script will be available for download on Digicampus before the course will start. A printed version of the script will also be distributed in the first class. Books that may be helpful with (but no "reading requirements"): <ul style="list-style-type: none"> • Reid/Tu/Port, Fundamentals of United States Intellectual Property Law, 6th ed., 2018 (Wolters Kluwer) • Kur/Dreier/Luginbuehl, European Intellectual Property Law, 2nd ed., 2019 (Edward Elgar) 		

Assigned Courses:

Intellectual Property Law (lecture)

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Examination

Intellectual Property Law

written exam / length of examination: 60 minutes, graded

Module JUR-8326: International Arbitration <i>International Arbitration</i>		3 ECTS/LP
Version 1.1.0 Person responsible for module: Prof. Dr. Thomas Möllers Dr. Daniel Engel		
Contents: In international business transactions, the dispute resolution clause usually provides for international arbitration. The course "International Arbitration" will discuss international arbitration from a practitioner's point of view. It will focus on the advantages and disadvantages of international arbitration and address the conduct of international arbitration proceedings, such as the establishment of the arbitral tribunal, the taking of evidence, oral hearings and rendering the arbitral award. The students will learn to draft tailor-made arbitration clauses. In addition, the course will deal with procedures to set aside and enforce arbitral awards internationally. Further, the course will focus on the interaction between national law and international arbitration. The students will also learn about the specifics of the most commonly applied rules of arbitral institutions such as the ICC, the LCIA, the VIAC and the German DIS.		
Learning Outcomes / Competences: A student who completes this course should have knowledge and understanding of the challenges in drafting arbitration clauses, conducting international arbitration proceedings, challenging and enforcing arbitral awards.		
Remarks: The course will be held as part of the "Augsburg Summer Program" in the second half of the summer semester.		
Conditions: none		Credit Requirements: Passing the module exam
Frequency: each summer semester	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 1	Repeat Exams Permitted: none	
Parts of the Module		
Part of the Module: International Arbitration		
Mode of Instruction: lecture		
Language: English		
Lehr-/Lernmethoden: All students must be prepared to participate actively in discussions		
Literature: Relevant material will be available for download on Digicampus.		
Assigned Courses:		
International Arbitration (lecture) **		
Examination		
International Arbitration written/oral exam / length of examination: 60 minutes, graded		
Description: The grade will be based on a 1-hour exam that will test students' ability to understand and address the legal challenges pertaining to the set-up, conduct and enforcement of international arbitration proceedings.		

Module JUR-8327: International Investment Law <i>International Investment Law</i>		3 ECTS/LP
Version 1.0.0 Person responsible for module: Prof. Dr. Thilo Rensmann		
Contents: The lecture course on International Investment Law focusses on the protection afforded to foreign investors under bi- and multilateral investment treaties. A special emphasis will be put on the substantive standards of protection, such as the protection against expropriation and the "fair and equitable treatment" clause. The course will also cover the highly disputed system of "Investor-State Dispute Settlement" as well as current initiatives to establish a Multilateral Investment Court. The legal topics will be placed into the broader context of current policy issues. Particular attention will be given to the democratic legitimacy of investment tribunals and the tension between the protection of foreign investment on the one hand, and conflicting public policy goals, such as the protection of human rights, labour standards, and the environment on the other.		
Learning Outcomes / Competences: A student who completes this course should have knowledge and understanding of the main substantive standards of protection under bi- and multilateral investment treaties as well as of the means of enforcing these standards through "Investor-State Dispute Settlement". Participants should also have developed a sensitivity for the systemic tension between international investment law on the one hand and democratic governance and the rule of law on the other.		
Remarks: The course will be held as part of the "Augsburg Summer Program" in the second half of the summer semester.		
Conditions: none		Credit Requirements: Passing the module exam
Frequency: each summer semester	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 1	Repeat Exams Permitted: none	
Parts of the Module		
Part of the Module: International Investment Law Mode of Instruction: lecture Language: English		

Contents:**Class 1 - Object and Purpose of Investment Law**

Recommended Reading: Rudolf Dolzer/Ursula Kriebaum/Christoph Schreuer, Principles of International Investment Law (Oxford University Press, 3rd ed. 2022) pp. 1-34 (“Nature, Evolution and Context of International Investment Law”)

Class 2 - Evolution of Investment Law, Part 1, (Traditional International Law & Human Rights Law)

Recommended Reading: Ursula Kriebaum, Human Rights and International Investment Law, in: Yannick Radi (ed.), Research Handbook on Human Rights and Investment (Elgar 2018), pp. 1-40

Class 3 - Evolution of Investment Law. Part 2 (International Investment Agreements)

Recommended Reading: David Collins, An Introduction to International Investment Law (Cambridge University Press 2017), pp. 33-65 (“Bilateral, Regional and Multilateral Investment Agreements”)

Class 4 - Standards of Protection under Investment Treaties, Part 1 (in particular FET-Standard)

Recommended Reading: Rudolf Dolzer/Ursula Kriebaum/Christoph Schreuer, Principles of International Investment Law (Oxford University Press, 3rd ed. 2022) pp. 186-229 (“Fair and Equitable Treatment”)

Class 5 - Standards of Protection under Investment Treaties, Part 2 (in particular Protection against Expropriation)

Recommended Reading: David Collins, An Introduction to International Investment Law (Cambridge University Press 2017), pp. 156-184 (“Guarantees Against Expropriation”)

Class 6 - Investor State Dispute Settlement

Recommended Reading: David Collins, An Introduction to International Investment Law (Cambridge University Press 2017), pp. 214-249 (“Dispute Settlement”)

Assigned Courses:

International Investment Law (lecture)

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Examination

International Investment Law

written exam, graded

Description:

The grade will be based on a 1-hour written exam that will test students' ability to understand and address the common structure and principles governing the complex interaction of international investment treaties, arbitration, regional economic integration and national law.

Module JUR-8328: Law and Economics <i>Law and Economics</i>		3 ECTS/LP
Version 1.1.0 Person responsible for module: Prof. Dr. Thomas Möllers Prof. Peter Wendel		
Contents: The course introduces students to the economic analysis of law. It explores what it means for the law to be efficient; the extent to which a quest for economic efficiency explains the development of the law (with a focus on property and torts due to the limited time); and the extent to which efficiency should affect the development of the law. The course includes a brief introduction to the tools of microeconomics and to the different 'schools' of economic thought.		
Learning Outcomes / Competences: A student who completes this course will be able to: <ul style="list-style-type: none"> • Articulate the differences between legal analysis that focuses primarily on fairness vs legal analysis that focuses primarily on efficiency. • Articulate how common law courts create law. • Articulate the distinctive features of each of the different major schools of law and economics. • Articulate and be able to apply the least cost avoider theory of law and economics. • Understand and apply the steps one undertakes when performing a law and economics analysis of an issue based on the Coase Theorem. 		
Remarks: The course will be held as part of the "Augsburg Summer Program" in the second half of the summer semester.		
Conditions: none		Credit Requirements: Passing the module exam
Frequency: each summer semester	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 1	Repeat Exams Permitted: none	

Parts of the Module
Part of the Module: Law and Economics Mode of Instruction: lecture Language: English
Contents: Class 1 and 2 The first hour of the first class we'll discuss the threshold issue of whether efficiency should be relevant at all to the issue of what the law should be. We'll explore some of the basic principles of microeconomics. From there, we'll look at how common law courts create law and how efficiency may be relevant to that process. Class 3 and 4 The second week of classes we'll look at the different schools of law and economics. We'll look at how law and economics can be used to help develop an optimal legal response to a problem, including the widely used economic principle of least cost avoider. Class 5 and 6 The final week of classes we'll look at the Coase Theorem, one of the most important doctrines in Law & Economics.

Lehr-/Lernmethoden:

This class will be taught using a benevolent Socratic approach. I prefer that my students talk more than I do in class. I will start each class with a question or two, but where the class discussion goes from there depends on each student's contribution to the class discussion. I will email out the reading assignment for each week at the start of each week.

Absent special circumstances, all students are expected to be prepared to participate actively in the classroom discussions.

Literature:

The readings will be available for download on Digicampus in advance of each class. To save you money, I will use pdfs or links to all of the class materials.

Assigned Courses:

Law and Economics (lecture)

**

Examination

Law and Economics

written exam / length of examination: 60 minutes, graded

Description:

The grade will be based on a 1-hour written exam that will test each student's command of the material covered during the course.

Module JUR-8329: Performance and Financial Guarantees as Encountered in International Commercial Contracts <i>Performance and Financial Guarantees as Encountered in International Commercial Contracts</i>		3 ECTS/LP
Version 1.0.0 Person responsible for module: Prof. Dr. Thomas Möllers Prof. Charl Hugo		
Contents: <p>The main focus of the course falls on attempts by principal debtors attempting to block payment of a guarantee and/or by guarantors attempting to evade payment of a guarantee - that is on the main issues that lead to litigation or arbitration in this field. It is, for example, well-established law in most jurisdictions that fraud by the beneficiary of an independent guarantee will provide a valid defence for the guarantor. Less clear, however, are questions such as whether an unconscionable demand for payment of a guarantee may also provide a defence for a guarantor (or the basis for the principal debtor to block payment of the guarantee), or whether the illegality of the principal debt may provide a defence to the guarantor. Moreover, a beneficiary wishing to avail itself of a guarantee needs to demand payment in accordance with the guarantee. Such a demand must conform with the terms of the guarantee. Disputes as to whether a particular demand is indeed conforming or not are often before the courts. Interesting and demanding case law on these and similar issues from England, Germany, South Africa, the United States of America, Singapore and Australia will be considered critically against the background also of the URDG and ISP98. In this respect the law of guarantees and letters of credit overlap largely - a further aspect that will be explored briefly.</p> <p>Any obligation can be guaranteed. The guarantee can take the form of an accessory guarantee (suretyship) or of an independent guarantee (demand guarantee, performance bond, standby letter of credit). The latter is especially important and receives and forms the focal point of the course. Such guarantees can secure a performance other than the payment of money (for example the construction of a building) or can secure the performance of having to pay money. On this basis a distinction is sometimes drawn between performance guarantees and financial guarantees. The legal principles governing them, however, are very much the same.</p> <p>Independent guarantees are common in large commercial contracts. They are often (but not necessarily) also governed by rules emanating from (or endorsed by) the International Chamber of Commerce namely the Uniform Rules of Demand Guarantees (URDG) or the International Standby Practice 1998 (ISP98). The historical development of these Rules and their main provisions will be considered.</p>		
Learning Outcomes / Competences: Students completing the course will acquire a working knowledge of the roll, purposes and operation of guarantees in large (often international) commercial contracts.		
Remarks: The course will be held as part of the "Augsburg Summer Program" in the second half of the summer semester.		
Conditions: none		Credit Requirements: Passing the module exam
Frequency: irregular (usu. summer semester)	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 1	Repeat Exams Permitted: none	
Parts of the Module		
Part of the Module: Performance and Financial Guarantees as Encountered in International Commercial Contracts Mode of Instruction: lecture Language: English		
Assigned Courses:		

Payment and Independent Guarantees in (International) Commercial Contracts (lecture)

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Examination

Performance and Financial Guarantees as Encountered in International Commercial Contracts

written exam, graded

Module JUR-8330: Transnational Litigation <i>Transnational Litigation</i>		3 ECTS/LP
Version 1.2.0 Person responsible for module: Prof. Dr. Tobias Lutzi		
Contents: This course is designed for students to develop an understanding of the international aspects of civil and commercial litigation, including questions of international jurisdiction, choice of law, the recognition and enforcement of judgments, and its interplay with international commercial arbitration. The course aims to provide students with an overview of the relevant legal framework (with a focus on the EU and UK) as well as an appreciation of the practicalities of managing transnational disputes.		
Remarks: The course will be held as part of the "Augsburg Summer Program" in the second half of the summer semester.		
Conditions: none		Credit Requirements: Passing the module exam
Frequency: each summer semester	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 1	Repeat Exams Permitted: none	
Parts of the Module		
Part of the Module: Transnational Litigation: The Practice of International Dispute Resolution		
Mode of Instruction: lecture		
Language: English		
Learning Outcome: A student who completes this course should have an understanding of the issues and challenges that arise in international and cross-border disputes, and how those disputes can be settled through resort to judicial processes in one or more jurisdictions.		

Contents:

Part I: The Legal Framework of Transnational Litigation

Class 1: International Jurisdiction

Reading: [1] Regulation (EU) No 1215/2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (recast); [2] CJEU Case C-281/02 Owusu ECLI:EU:C:2005:120; [3] CJEU Case 21/76 Bier ECLI:EU:C:1976:166; [4] CJEU Case C-220/88 Dumez France ECLI:EU:C:1990:8; [5] FS Cairo (Nile Plaza) LLC v Brownlie [2021] UKSC 45.

Class 2: Choice of Law

Reading: [1] Regulation (EC) No 593/2008 on the Law Applicable to Contractual Obligations (Rome I); [2] Regulation (EC) No 864/2007 on the law applicable to non-contractual obligations (Rome II); [3] A Mills, 'The Identities of Private International Law: Lessons from the US and EU Revolutions' (2013) 23 Duke Journal of Comparative & International Law 445; [4] Case C-135/15 Nikiforidis ECLI:EU:C:2016:774

Part II: Managing Transnational Litigation

Class 3: Jurisdiction and Arbitration Clauses

Reading: [1] Hague Convention of 30 June 2005 on Choice of Court Agreements; [2] CJEU Case 150/08 Elefanten Schuh ECLI:EU:C:1981:148; [3] CJEU Case C-185/07 West Tankers ECLI:EU:C:2009:69.

Class 4: Choice of Law Clauses

Reading: [1] Hague Principles on Choice of Law in International Commercial Contracts (approved on 19 March 2015); [2] CJEU Case C-191/15 VKI ECLI:EU:C:2016:612 (paras. 1–71).

Part III: Enforcing Civil Judgments and Arbitral Awards Across Borders

Class 5: Enforcing Judgments

Reading: [1] Hague Convention of 2 July 2019 on the Recognition and Enforcement of Foreign Judgments in Civil or Commercial Matters; [2] CJEU Case C-568/20 H Limited ECLI:EU:C:2022:264.

Class 6: Enforcing Arbitral Awards

Reading: [1] Convention on the Recognition and Enforcement of Foreign Arbitral Awards (New York, 1958; "New York Convention"); [2] CJEU Case C-700/20 London Steam-Ship ECLI:EU:C:2022:488.

Lehr-/Lernmethoden:

All students must be prepared to participate actively in discussions.

Literature:

The readings will be available for download on Digicampus in advance of each class.

Assigned Courses:

Transnational Litigation (lecture)

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Examination

Transnational Litigation

written exam / length of examination: 60 minutes, graded

Description:

The grade will be based on a 1-hour written exam that will test students' ability to understand and address international litigation and dispute resolution.

Module JUR-8331: US/EU Antitrust Law <i>US/EU Antitrust Law</i>		3 ECTS/LP
Version 1.3.0 Person responsible for module: Prof. Dr. Michael Kort		
Contents: The first part of the course deals with two main aspects of Antitrust Economics, namely with the Price Theory and with the Industrial Organization, as a basic knowledge of Antitrust Economics is necessary to understand Antitrust Law. After focusing on the U.S. Antitrust Law and the U.S. Merger Control Law, the course deals with EU Competition Law and with EU merger Control Law. Additionally, recent developments of U. S. and E.U. Antitrust Law are discussed. Also some cases on important topics of U.S. and EU Antitrust Law and Merger Control Law will be discussed in order to give the students the opportunity to find differences and similarities between the U.S. Law and the EU Law.		
Remarks: The course will be held as part of the "Augsburg Summer Program" in the second half of the summer semester.		
Conditions: none		Credit Requirements: Passing the module exam
Frequency: each summer semester	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 1	Repeat Exams Permitted: none	

Parts of the Module**Part of the Module: US/EU Antitrust Law****Mode of Instruction:** lecture**Language:** English**Learning Outcome:**

Students should be able to deal both with antitrust cases and with merger control law cases which may have an international dimension in a way that the students take economic considerations like efficiencies and market structure considerations into account. Further, they should be familiar with the content of the statutory provisions like the Sherman Act, the Clayton Act, the TFEU and the EU Merger Regulation as well as with the main case law of the US and the EU. They should be able to see the similarities and the differences between US and EU Antitrust Law. Further, they should know the difference between the application of the rule of reason and the application of the per se rule. In addition, they should be able to decide which law may be applicable in the case of a conflict of laws.

Contents:

Introduction

Part I: Antitrust Economies

Part II: US Antitrust Law

- Applicable Law
- Agreements in Restraints of Trade
- Monopolization and attempted Monopolization
- Mergers, Acquisitions and Joint Ventures
- Price discrimination
- Antitrust Enforcement
- Jurisdictional, public policy and regulatory Limitations on the Domain of Antitrust

Part III: European Antitrust Law

- Art. 101 Treaty on the Functioning of the European Union (TFEU)
- Art. 102 Treaty on the Functioning of the European Union (TFEU)
- EU Merger Control Regulation

Literature:

Books that may be helpful with (but no "reading requirements"):

- Douglas Broder, U.S. Antitrust Law and Enforcement, 3rd ed., 2016
- Herbert Hovenkamp, Antitrust, 7th ed., 2021
- Herbert Hovenkamp, Principles of Antitrust, 2nd ed. 2021
- Howard Langer, Competition Law in the United States, 4th ed., 2019
- Sullivan/Harrison, Understanding Antitrust and Its Economic Implications, 7th ed., 2019
- Alison Jones/Brenda Sufrin, EC Competition Law, 7th ed., 2019
- Ariel Ezrachi, EU Competition Law, 7th ed., 2021

Assigned Courses:

US/EU Antitrust Law (lecture)

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Examination

US/EU Antitrust Law

written exam / length of examination: 60 minutes, graded

Module JUR-8332: Recent Developments in International Law <i>Recent Developments in International Law</i>		6 ECTS/LP
Version 1.0.0 (since WS23/24) Person responsible for module: Prof. Dr. Thilo Rensmann		
Contents: In this class we will discuss recent developments in international law as they unfold during the semester. For this purpose, the students will be provided each week with media reports on current international law topics.		
Learning Outcomes / Competences: Upon completion of this course, a student will have obtained an overview of current developments in international law. Participants will also have developed the ability to critically evaluate these developments and locate them within the system of international law.		
Conditions: The class will be held in English therefore sufficient English language skills are a prerequisite. Basic knowledge of international law would be beneficial.		Credit Requirements: Passing the module exam
Frequency: each winter semester	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 2	Repeat Exams Permitted: none	

Parts of the Module
Part of the Module: Recent Developments in International Law Mode of Instruction: lecture Lecturers: Prof. Dr. Thilo Rensmann Language: English Contact Hours: 2 ECTS Credits: 6.0
Contents: The specific subject-matter of the course will be determined by developments in international law as they unfold during the semester.
Literature: Media reports and other material relating to the topics discussed will be provided prior to the lecture each week.

Examination Recent Developments in International Law oral exam / length of examination: 20 minutes, graded Description: The exam will be held in English.
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Module JUR-8333: Introduction to the Irish Legal System <i>Introduction to the Irish Legal System</i>		6 ECTS/LP
Version 1.0.0 Person responsible for module: Elizabeth O'Leary		
Contents: <ul style="list-style-type: none"> • The history and development of the Irish Legal System • Constitutional Law in Ireland • Sources of Irish law • The Irish court system • How the common law works in Ireland 		
Learning Outcomes / Competences: Students will be introduced to the history of Irish law and will examine the influence of common law on the Irish legal system. Students will analyze how the Irish legal system has been influenced by the English legal system, but also how it has looked to the US for its development of constitutional rights. Students will gain an insight into how societal norms have changed in Ireland and how this has resulted in referenda introducing new constitutional rights including divorce, abortion, and same-sex marriage. Students will examine Irish court decisions and will develop legal reasoning and interpretation skills and apply court-extracted legal principles to future cases or situations. Students will develop their oral communication skills, persuasive argument skills, team-work skills, decision-making skills and advocacy skills.		
Remarks: Only available to law students from Erasmus partner universities of the Faculty of Law or law students from university-wide partner universities.		
Conditions: Students should have good language skills (minimum C1) and should be familiar with basic legal English terminology. Students may have to take the Oxford Online Placement Test, offered by the faculty during the first week of classes each semester, and achieve a score that is at least equivalent to the required C1 language level if they can't already provide official test results i.e. TOEFL or are native Speakers. Registration is done via Digicampus with the event name "Einstufungstest für Incoming Students (Oxford Online Placement Test)". There you will also find all further information about the test.		Credit Requirements: Passing the module exam
Frequency: each winter semester	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 2	Repeat Exams Permitted: none	

Parts of the Module
Part of the Module: Introduction to the Irish Legal System Language: English Contact Hours: 2 ECTS Credits: 6.0
Lehr-/Lernmethoden: Socratic method, lecture, and experiential learning
Literature: Irish legal journals and court decisions

Examination

Introduction to the Irish Legal System

written exam / length of examination: 90 minutes, graded

Module JUR-8334: Law and Legal Method in the USA <i>Law and Legal Method in the USA</i>		3 ECTS/LP
Version 1.3.0 (since SoSe23) Person responsible for module: Prof. Dr. Thomas Möllers Prof. Smith		
Contents: Collaboratively explore, experience, and reflect on ways that lawyers in the United States of America (“USA” or “US”) — including legislators, administrators, and judges — create, find, and work with law and legal arguments.		
Learning Outcomes / Competences: 1. Improve ability to articulate, critically analyze, and apply legal rules—especially within the context of an Anglo-American legal system. 2. Learn or improve ability to find, organize, and work with US legal materials, including constitutions, statutes, judicial decisions (“cases”), and administrative regulations. 3. Have fun and increase confidence communicating, advocating, and collaborating.		
Conditions: none		Credit Requirements: Passing the module exam
Frequency: irregular (usu. summer semester) not offered in summer 2024	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 1	Repeat Exams Permitted: none	
Parts of the Module		
Part of the Module: Law and Legal Method in the USA Language: English ECTS Credits: 3.0		
Lehr-/Lernmethoden: Engage collaboratively in simulations of legal work in the USA, for example by: 1. writing simple legal rules, 2. finding law using online research strategies, 3. synthesizing rules and principles from various legal authorities, 4. advocating in fictional legal disputes, and 5. adjudicating the disputes.		
Literature: https://www.law.cornell.edu/wex/civil_procedure Steven Lubet, Modern Trial Advocacy (2020)		
Examination Law and Legal Method in the USA written exam / length of examination: 1 hours, graded		

Module JUR-8335: Legal Technology and Innovation <i>Legal Technology and Innovation</i>		3 ECTS/LP
Version 1.1.0 (since SoSe23) Person responsible for module: Prof. Dr. Thomas Möllers Prof. Katz		
Contents: Legal innovation and technology are no longer themes relevant for legal professionals only in the future. Organizations across the legal industry are currently leveraging technology in ways that have allowed clients and consumers to access legal services more efficiently, effectively, and at a lower cost. This course introduces students to legal innovation and technology at a high level. Students will examine the market forces driving innovation and glimpse use cases from large law firms, corporate in-house legal departments, legal aid, and legal tech startups, as well as emerging organizations like law companies. Students will also have the opportunity to see examples of applied technology from legal professionals and lecturers from all around the globe.		
Learning Outcomes / Competences: Deeper understanding of the above-mentioned content in the area of legal innovation and technology		
Conditions: none		Credit Requirements: Passing the module exam
Frequency: irregular (usu. summer semester) not offered in summer 2024	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 1	Repeat Exams Permitted: none	
Parts of the Module		
Part of the Module: Legal Technology and Innovation		
Language: English		
Contents: SESSION 1: Introduction to Legal Innovation & Technology (including Legal Operations) SESSION 2: Economics of Markets for Legal Technology and Legal Innovation (and Some Use Cases) SESSION 3: The Complexity Challenge in Law and Some Mitigation Strategies SESSION 4: Artificial Intelligence & Artificial Intelligence + Law SESSION 5: Fin (Legal) Tech – Law’s Future from Finance’s Past SESSION 6: The Fourth Industrial Revolution and the Next Frontiers in Legal Tech and Legal Innovation		
Literature: Tba, materials will be accessible online		
Examination Legal Technology and Innovation written exam, graded		

Module JUR-8336: Private International Law (SP) <i>Private International Law (SP)</i>		3 ECTS/LP
Version 1.0.0 (since SoSe23) Person responsible for module: Prof. Dr. Thomas Möllers Prof. Dr. Hübner		
Contents: The rules of private international law, a body of law also known as conflict of laws, address legal problems that arise when a court has to decide a dispute that involves a cross-border element. Such an element may arise when the dispute has contacts with more than one sovereign state or with different states within a federation. In such disputes, the judge has to decide according to which law the case must be decided (local law, foreign law, uniform law?). Private international law deals with a variety of topics, such as contracts, marriage and divorce, jurisdiction, and recognition of foreign judgments. As a result of globalization, the prominence of private international law has steadily increased over the last years. Lawyers dealing with international transactions must therefore possess at least a basic knowledge of this area of law. The course "Private International Law" focuses, inter alia, on the question of the applicable law in contract, tort and succession cases, whereas the issues of (adjudicatory) jurisdiction as well as recognition and enforcement of judgments are treated primarily in the course "Transnational Litigation".		
Remarks: The course will be held as part of the "Augsburg Summer Program" in the second half of the summer semester.		
Conditions: Absent special circumstances, all students are expected to be prepared to participate actively in the classroom discussions.		Credit Requirements: Passing the module exam
Frequency: irregular (usu. summer semester)	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 1	Repeat Exams Permitted: none	
Parts of the Module		
Part of the Module: Private International Law (SP) Language: English Contact Hours: 1		

Contents:

Class 1 – Introduction

Reading: van Calster, European Private International Law, Ch. 1

Class 2 – Contracts

Reading: van Calster, European Private International Law, Ch. 3

Class 3 – Tort

Reading: van Calster, European Private International Law, Ch. 4

Class 4 – The European Succession Regulation

Reading: van Calster, European Private International Law, Ch. 6

Class 5 – Companies in Private International Law

Reading: van Calster, European Private International Law, Ch. 7

Class 6 – Private International Law and Corporate Social Responsibility

Reading: van Calster, European Private International Law, Ch. 8

Assigned Courses:

Private International Law (lecture)

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Examination

Private International Law (SP)

written exam / length of examination: 1 hours, graded

Module JUR-8337: Comparative Corporate Insolvency Law <i>Comparative Corporate Insolvency Law</i>		3 ECTS/LP
Version 1.1.0 (since SoSe23) Person responsible for module: Prof. Dr. Thomas Möllers		
Contents: This course guides the student to a functional comparison of divergent regulatory responses to core problems in corporate insolvency law. It considers the two main insolvency procedures - liquidation (bankruptcy) and rescue (restructuring) - in Germany, the USA, the UK and Singapore. It explores insolvency theory and comparative law methodology before focusing on how these jurisdictions regulate various stakeholder conflicts that arise when a company becomes financially distressed. Basic principles of cross-border insolvencies are also covered.		
Learning Outcomes / Competences: A student who completes this course will be able to describe and evaluate different corporate insolvency law frameworks from a comparative perspective.		
Conditions: All students must be prepared to participate actively in discussions.		Credit Requirements: Passing the module exam
Frequency: irregular (usu. summer semester) not offered in summer 2024	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 1	Repeat Exams Permitted: none	

Parts of the Module**Part of the Module: Comparative Corporate Insolvency Law****Language:** English**Frequency:** irregular**Contact Hours:** 1**ECTS Credits:** 3.0**Literature:**

Legislation, journal articles and chapters, case law, and international documents available through Digicampus.

Examination**Comparative Corporate Insolvency Law**

written exam, graded

Module JUR-8338: Law in the Economic History of the United States <i>Law in the Economic History of the United States</i>		3 ECTS/LP
Version 1.2.0 (since SoSe23) Person responsible for module: Prof. Dr. Thomas Möllers Prof. Cottrol		
Contents: This class is designed to provide an overview of the role of law in the economic development of the United States. Starting with the colonial era, the course will look at the ways in which the American legal system responded to the challenges of an ever-changing economy one that went from a primarily agricultural and locally based economy to an economy that ultimately spanned a continent and achieved world preeminence. The course will examine how the law shaped economic development and in turn how economic change changed the law. The course will explore, among other issues: the impact of the constitution and federalism on economic development, the role of patents and intellectual property on economic history, economic change and the transformation of the common law, slavery and its impact on American law, property rights, anti-trust, the New Deal and the transformation of federalism, labor law in American history, Economic Impact of the Civil Rights movement on minorities and women.		
Learning Outcomes / Competences: Students will gain an understanding of relationship between legal change and economic development.		
Conditions: No special background in economics is assumed.		Credit Requirements: Passing the module exam
Frequency: irregular (usu. summer semester) not offered in summer 2024	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 1	Repeat Exams Permitted: none	
Parts of the Module		
Part of the Module: Law in the Economic History of the United States Language: English Frequency: irregular Contact Hours: 1 ECTS Credits: 3.0		
Learning Outcome: A student who completes this course should have an understanding of the relationships between legal change and economic development. This would an understanding of how economic actors use political leverage and legal mechanisms to spur and retard economic innovation.		

Contents:

Class I: New Law for a New Political Economy

A. Lecture: The Colonial and Early National Backgrounds

B. Reading and Discussion: Bruce Mann, "The Transformation of Law and Economy in Early America," found in The Cambridge History of Law in America, Vol. I, Michael Grossberg and Christopher Tomlins, eds., (hereinafter Cambridge History)

Class II: Economic Development Meets the Common Law

A. Lecture: The Transformation of the Common Law

B. Reading and Discussion: Tony A. Freyer, "Legal Innovations and Market Capitalism, 1790-1920," in Cambridge History, Vol. II,

Class III: Law and Development in the Dynamic Nineteenth Century

A. Lecture: Institutional Change

B. Reading and Discussion: Zorina Khan, "Innovations in Law and Technology, 1790-1920," in Cambridge History, Vol. II,

Class IV. Toward the Regulatory State

A. Lecture: Facing Behemoth

B. Reading and Discussion: Karen Orren, "The Laws of Industrial Organization, 1870-1920," in Cambridge History, Vol II,

Class V. Law and the Modern American Economy

A. Lecture: A New Police Power?

B. Gregory A. Mark, "The Corporate Economy: Ideologies of Regulation and Antitrust, 1920-2000," in Cambridge History, Vol. III

Class VI, Law and Economic Justice

A. Lecture: An economy of inclusion?

B. Reading and Discussion: Gavin Wright, "The Civil Rights Revolution as Economic History," Journal of Economic History, vol. 59, No. 2 June 1999

Lehr-/Lernmethoden:

All students should be prepared to participate actively in class discussions. The format of will include lectures and discussions of the readings in which class discussion will be essential. We will have six course sessions. These will consist of two, two-hour sessions for three weeks. Each of the two-hour sessions will begin with a one-hour lecture by me providing a chronological background discussing legal and economic change in American history. The second hour of each session will be devoted to a discussion of thematic issue touching on legal and economic history.

Literature:

Readings will be uploaded on Digicampus prior to each class.

Examination

Law in the Economic History of the United States

, Paper in lieu of exam, graded

Description:

The grade will be based on a paper of between 5 to 7 pages based on a critical comparison of two of the articles selected as course readings.

Module JUR-8339: A New Global Economic Order in the Age of Geopolitics: Challenges and Responses <i>A New Global Economic Order in the Age of Geopolitics: Challenges and Responses</i>		3 ECTS/LP
Version 1.0.0 (since SoSe24) Person responsible for module: Prof. Dr. Thomas Möllers Prof. Cho		
Contents: This course explores the international economic relations against the background of the recent geopolitical developments. It is divided into five parts. First, it addresses the basic legal and institutional aspects of the World Trade Organization (WTO). The WTO system constitutes rudimentary trade and investment policies by global economies. Second, it discusses both the causes and effects of the recent United States – China trade war. It characterizes those causes and effects of the trade war through the analytical lens of a “constitutional crisis” of the WTO system. Third, this course probes the regional economic dynamics. It first situates economic regionalism against the backdrop of global value chains (GVCs). It then discusses the WTO regulation of regional trading blocs as well as major <i>mega</i> -regional trading agreements, such as the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) and the Regional Comprehensive Economic Partnership (RCEP). Fourth, this course examines the European trade and investment policies in the face of new challenges, including climate change and decoupling. It discusses the European Union (EU) policy responses to these challenges and evaluate them from both legal and political perspectives. Fifth, this course expands the scope of discussion into the broader geopolitical dimensions. It explores both challenges to and responses by global economies in relation to ever-intensifying global uncertainties incurred by Russia’s invasion to Ukraine and other geopolitical turmoil.		
Remarks: The course will be held as part of the "Augsburg Summer Program" in the second half of the summer semester.		
Conditions: none		Credit Requirements: Passing the module exam
Frequency: irregular (usu. summer semester)	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 1	Repeat Exams Permitted: none	
Parts of the Module		
Part of the Module: A New Global Economic Order in the Age of Geopolitics: Challenges and Responses Language: English Contact Hours: 1 ECTS Credits: 3.0		
Assigned Courses: A New Global Economic Order in the Age of Geopolitics: Challenges and Responses (lecture) **		
Examination A New Global Economic Order in the Age of Geopolitics: Challenges and Responses written exam, graded		

Module JUR-8340: The Relations between the EU and EaP Countries: Economic Law Issues <i>The Relations between the EU and EaP Countries: Economic Law Issues</i>		3 ECTS/LP
Version 1.0.0 (since SoSe24) Person responsible for module: Prof. Dr. Thomas Möllers Prof. Holovko-Havrysheva		
Contents: Russian war against Ukraine endangered the peaceful cooperation on the European continent, and so far, influences the relations between the EU and former post-Soviet countries. This course aims to give understanding how the cooperation between the EU and EaP countries evolves in the times of war. The EU deploys different types of legal instruments for developing the cooperation with the EaP Countries (e.g. Association Agreements, CEPA, etc), which differently approach the development of cooperation in economic and political matters from the EU site. At the site of the EaP countries also developed diverse national practices which shape their cooperation with the EU in different fields, where the deepness of the cooperation with the EU varies as well. The EU and EaP countries perspectives on mutual cooperation will be analyzed during this course. Moreover, the course will offer the understanding how the legal systems of the EaP countries function and how the interaction between the EU legal order and the legal systems of the EaP countries is organized.		
Learning Outcomes / Competences: A student who completes this course should have knowledge and understanding of the legal challenges the EaP countries face in the development of the economic relations with the EU and understand how the war in Ukraine affects their cooperation with the EU in this area.		
Remarks: The course will be held as part of the "Augsburg Summer Program" in the second half of the summer semester.		
Conditions: none		Credit Requirements: Passing the module exam
Frequency: irregular (usu. summer semester)	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 1	Repeat Exams Permitted: none	
Parts of the Module		
Part of the Module: The Relations between the EU and EaP Countries: Economic Law Issues Language: English Contact Hours: 1 ECTS Credits: 3.0		
Lehr-/Lernmethoden: Class participation: All students must be prepared to participate actively in discussions		
Literature: Readings: The readings will be available for download on Digicampus in advance of each class. To save you money, I will use pdfs or links to all of the class materials.		
Examination The Relations between the EU and EaP Countries: Economic Law Issues written exam / length of examination: 1 hours, graded		

Module JUR-8341: Comparative Legal Studies <i>Comparative Legal Studies</i>		6 ECTS/LP
Version 1.0.0 (since SoSe24) Person responsible for module: Dr. Stefan Lorenzmeier Erin Moody		
Contents: <ul style="list-style-type: none"> • Comparative analysis of Anti-Discrimination laws - South African Apartheid regime, US Slavery • Equality law and social ethics • Racism: Institutional, Structure, Ethic profiling, gender, age, sexual orientation and disability 		
Learning Outcomes / Competences: Students will gain a comprehensive understanding of anti-discrimination laws, racism, equality law, and social ethics from countries that have history with issues of this nature. Through an exploration of key concepts and historical perspectives, students will develop the ability to analyze various forms of discrimination, including racial, gender, and age discrimination. The course will emphasize the legal frameworks governing equality and non-discrimination, examining landmark cases that have shaped jurisprudence in this field. Students will also delve into the ethical considerations surrounding discrimination, developing critical thinking skills to address bias and prejudice within legal systems. The intersectionality of discrimination will be explored, highlighting its role in shaping legal approaches to equality. Additionally, students will examine legal remedies, enforcement mechanisms, and the impact of social change initiatives, fostering the skills and knowledge necessary for ethical decision-making in scenarios involving discrimination and inequality.		
Remarks: Only available to law students from Erasmus partner universities of the Faculty of Law or law students from university-wide partner universities.		
Conditions: Students may have to take the Oxford Online Placement Test, offered by the faculty during the first week of classes each semester, and achieve a score that is at least equivalent to the required C1 language level if they can't already provide valid official test results i.e. TOEFL or are native Speakers. Registration is done via Digicampus with the event name "Oxford Online Placement Test for Erasmus Incoming Students". There you will also find all further information about the test.		Credit Requirements: Passing the module exam
Frequency: each summer semester	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 2	Repeat Exams Permitted: none	

Parts of the Module
Part of the Module: Comparative Legal Studies Language: English
Lehr-/Lernmethoden: Independent study
Assigned Courses: Comparative Legal Studies - Group A (lecture) ** Comparative Legal Studies - Group B (lecture) ** Comparative Legal Studies - Group C (lecture)

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Examination

Comparative Legal Studies

, graded

Description:

Graded based on materials produced

Module JUR-8401: Introduction to French Law <i>Introduction au droit français</i>		6 ECTS/LP
Version 1.2.0 Person responsible for module: Dr. Stefan Lorenzmeier Julia Leymonie		
Contents: <ul style="list-style-type: none"> • Historical overview of the French law • the branches of law • the sources of law • the functioning of the justice system • the institutions of the Fifth Republic • the administrative and territorial organisation of France 		
Learning Outcomes / Competences: The aim is to enable students to acquire a basic knowledge of the French legal and state system.		
Conditions: Students must first take a placement test offered by the faculty during the first week of classes of the respective semester and achieve a result that is at least equivalent to level B2 in order to participate in this course. Registration is done via Digicampus with the event name "Einstufungstest für Introduction au droit français". There you will also find all further information about the test.		Credit Requirements: Passing the module exam
Frequency: each semester	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 2	Repeat Exams Permitted: none	
Parts of the Module		
Part of the Module: Introduction au droit français Mode of Instruction: lecture Language: French / German		
Literature: French Civil Code, French Constitution, legal journals		
Assigned Courses: Introduction au droit français (lecture) ** Introduction to French Law (lecture) **		
Examination Introduction au droit français written exam / length of examination: 90 minutes, graded Description: MCQs, short-answer questions (QRC), comprehension work on an unknown text on a topic related to the course program		

Module JUR-8402: Constitutional Law - The Institutions of the Fifth Republic <i>Droit constitutionnel – La Ve République</i>		6 ECTS/LP
Version 1.0.0 Person responsible for module: Dr. Stefan Lorenzmeier Julia Leymonie		
Contents: History and functioning of the institutions of the Fifth Republic		
Learning Outcomes / Competences: The aim is to enable students to acquire in-depth knowledge of the institutions of the Fifth Republic.		
Conditions: Students should have good language skills (minimum B2) and should be familiar with basic legal French terminology. Students may take a placement test offered by the faculty during the first week of classes of the respective semester and achieve a result that is at least equivalent to level B2 in order to participate in this course. Registration is done via Digicampus with the event name "Einstufungstest für Introduction au droit français". There you will also find all further information about the test.		Credit Requirements: Passing the module exam
Frequency: each winter semester	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 2	Repeat Exams Permitted: none	
Parts of the Module		
Part of the Module: Droit constitutionnel – La Ve République Mode of Instruction: lecture Language: French		
Literature: Full text of the Constitution of 4 October 1958		
Examination Droit constitutionnel – La Ve République written exam / length of examination: 90 minutes, graded Description: MCQs, short-answer questions (QRC), legal analysis		

Module JUR-8403: Legal Research and Writing <i>Recherche juridique et rédaction de textes juridiques</i>		6 ECTS/LP
Version 1.0.0 Person responsible for module: Dr. Stefan Lorenzmeier Julia Leymonie		
Contents: Legal methodology		
Learning Outcomes / Competences: The aim is to enable students to acquire the methodology of the " <i>cas pratique</i> " and the " <i>fiche d'arrêt</i> " (case summaries) as well as to learn how to use <i>Légifrance</i> database.		
Conditions: Students should have good language skills (minimum B2) and should be familiar with basic legal French terminology. Students may take a placement test offered by the faculty during the first week of classes of the respective semester and achieve a result that is at least equivalent to level B2 in order to participate in this course. Registration is done via Digicampus with the event name "Einstufungstest für Introduction au droit français". There you will also find all further information about the test.		Credit Requirements: Passing the module exam
Frequency: each winter semester	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 2	Repeat Exams Permitted: none	

Parts of the Module
Part of the Module: <i>Recherche juridique et rédaction de textes juridiques</i> Mode of Instruction: lecture Language: French
Literature: Eliane Damette, Françoise Dargirolle, <i>Méthode de français juridique</i> , 1 et 2e éd. Dalloz
Examination Recherche juridique et rédaction de textes juridiques written exam / length of examination: 90 minutes, graded Description: " <i>Cas pratique</i> " and " <i>fiche d'arrêt</i> "

Module JUR-8404: French Business Law <i>Droit des affaires</i>		6 ECTS/LP
Version 1.0.0 Person responsible for module: Dr. Stefan Lorenzmeier Julia Leymonie		
Contents: Business and company law		
Learning Outcomes / Competences: The aim is to provide students with a basic knowledge of Business and Company law.		
Conditions: Students should have good language skills (minimum B2) and should be familiar with basic legal French terminology. Students may take a placement test offered by the faculty during the first week of classes of the respective semester and achieve a result that is at least equivalent to level B2 in order to participate in this course. Registration is done via Digicampus with the event name "Einstufungstest für Introduction au droit français". There you will also find all further information about the test.		Credit Requirements: Passing the module exam
Frequency: each winter semester	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 2	Repeat Exams Permitted: none	
Parts of the Module		
Part of the Module: Droit des affaires Mode of Instruction: lecture Language: French		
Examination Droit des affaires written exam / length of examination: 90 minutes, graded Description: MCQs, short-answer questions (QRC), legal analysis		

Module JUR-8405: French Criminal Law and Criminal Procedure <i>Droit pénal, procédure pénale</i>		6 ECTS/LP
Version 1.0.0 Person responsible for module: Dr. Stefan Lorenzmeier Julia Leymonie		
Contents: the general principles of criminal law, criminal responsibility, penalties, the organisation and functioning of criminal justice, criminal proceedings		
Learning Outcomes / Competences: The aim is to provide students with a basic knowledge of general criminal law and criminal proceedings		
Conditions: Students should have good language skills (minimum B2) and should be familiar with basic legal French terminology. Students may take a placement test offered by the faculty during the first week of classes of the respective semester and achieve a result that is at least equivalent to level B2 in order to participate in this course. Registration is done via Digicampus with the event name "Einstufungstest für Introduction au droit français". There you will also find all further information about the test.		Credit Requirements: Passing the module exam
Frequency: each winter semester	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 2	Repeat Exams Permitted: none	

Parts of the Module
Part of the Module: <i>Droit pénal, procédure pénale</i> Mode of Instruction: lecture Language: French
Examination Droit pénal, procédure pénale written exam / length of examination: 90 minutes, graded Description: MCQs, short-answer questions (QRC), legal analysis

Module JUR-8406: French Contract Law <i>Droit des contrats</i>		6 ECTS/LP
Version 1.1.0 Person responsible for module: Dr. Stefan Lorenzmeier Julia Leymonie		
Learning Outcomes / Competences: The aim is to enable students to acquire in-depth knowledge of the principles of contract law, the formation of the contracts and reform of French contract law.		
Conditions: Students should have good language skills (minimum B2) and should be familiar with basic legal French terminology. Students may take a placement test offered by the faculty during the first week of classes of the respective semester and achieve a result that is at least equivalent to level B2 in order to participate in this course. Registration is done via Digicampus with the event name "Einstufungstest für Introduction au droit français". There you will also find all further information about the test.		Credit Requirements: Passing the module exam
Frequency: each summer semester	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 2	Repeat Exams Permitted: none	

Parts of the Module
Part of the Module: Droit des contrats Mode of Instruction: lecture Language: French
Lehr-/Lernmethoden: Lecture, experiential learning
Literature: French Civil Code, current court cases and legal journals
Assigned Courses: Droit des contrats (lecture) **
Examination Droit des contrats written exam / length of examination: 90 minutes, graded Description: MCQs, short-answer questions (QRC), legal analysis

Module JUR-8407: French Extra-contractual Liability Law <i>Droit de la responsabilité extracontractuelle</i>		6 ECTS/LP
Version 1.1.0 Person responsible for module: Dr. Stefan Lorenzmeier Julia Leymonie		
Learning Outcomes / Competences: The aim is to enable students to acquire in-depth knowledge in French tort law, the course deals with rules of conduct and remedies which are imposed by statute and case law.		
Conditions: Students should have good language skills (minimum B2) and should be familiar with basic legal French terminology. Students may take a placement test offered by the faculty during the first week of classes of the respective semester and achieve a result that is at least equivalent to level B2 in order to participate in this course. Registration is done via Digicampus with the event name "Einstufungstest für Introduction au droit français". There you will also find all further information about the test.		Credit Requirements: Passing the module exam
Frequency: each summer semester	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 2	Repeat Exams Permitted: none	

Parts of the Module
Part of the Module: Droit de la responsabilité extracontractuelle
Mode of Instruction: lecture Language: French
Lehr-/Lernmethoden: Lecture, experiential learning
Literature: French Civil Code, current court cases and legal journals
Assigned Courses: Droit de la responsabilité extracontractuelle (lecture) **
Examination Droit de la responsabilité extracontractuelle written exam / length of examination: 90 minutes, graded Description: MCQs, short-answer questions (QRC), legal analysis

Module JUR-8408: French Employment Law <i>Droit du travail</i>		6 ECTS/LP
Version 1.1.0 Person responsible for module: Dr. Stefan Lorenzmeier Julia Leymonie		
Contents: Labour law		
Learning Outcomes / Competences: The aim is to provide students with a basic knowledge of labour law.		
Conditions: Students should have good language skills (minimum B2) and should be familiar with basic legal French terminology. Students may take a placement test offered by the faculty during the first week of classes of the respective semester and achieve a result that is at least equivalent to level B2 in order to participate in this course. Registration is done via Digicampus with the event name "Einstufungstest für Introduction au droit français". There you will also find all further information about the test.		Credit Requirements: Passing the module exam
Frequency: each summer semester	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 2	Repeat Exams Permitted: none	

Parts of the Module
Part of the Module: Droit du travail Mode of Instruction: lecture Language: French
Lehr-/Lernmethoden: Lecture, experiential learning
Literature: French Labour Code, current court cases and legal journals
Assigned Courses: Droit du travail (lecture) **
Examination Droit du travail written exam / length of examination: 90 minutes, graded Description: MCQs, short-answer questions (QRC), legal analysis

Module JUR-8409: Business Law Practice <i>Pratique du droit des affaires</i>		6 ECTS/LP
Version 1.0.0 Person responsible for module: Dr. Stefan Lorenzmeier Francois Amice		
Contents: The objective of this class is to introduce the students to the legal basis of the French business law, i.e. : contract law, contract liability, commercial law, company law, insolvency law, organisation of commercial and civil courts, to explain them legal proceedings and to give them some examples of the practice of business law (including : researching extrajudicial solutions, negotiations, legal strategy) thanks to the own experience of the teacher as a French native speaker and a lawyer in the field of business law over almost ten years		
Learning Outcomes / Competences: The students will gain their skills in order to be able to study some judgements in the above-mentioned fields and to solve some practical cases. The small amount of students taking part to the class allows to be taught a dynamical course, to be active, to ask some questions and to exchange with the teacher. Moreover, it is a unique occasion to improve significantly their knowledges in French legal language as well as in French.		
Conditions: Students should have good language skills (minimum B2) and should be familiar with basic legal French terminology. Students may take a placement test offered by the faculty during the first week of classes of the respective semester and achieve a result that is at least equivalent to level B2 in order to participate in this course. Registration is done via Digicampus with the event name "Einstufungstest für Introduction au droit français". There you will also find all further information about the test.		Credit Requirements: Passing the module exam
Frequency: each summer semester	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 2	Repeat Exams Permitted: none	

Parts of the Module
Part of the Module: Pratique du droit des affaires Mode of Instruction: lecture Language: French
Assigned Courses: Pratique du droit des affaires (lecture) <i>*(online/digital) *</i>
Examination Pratique du droit des affaires written exam / length of examination: 90 minutes, graded

Module JUR-8410: Introduction to French Law (SP) <i>Einführung in das französische Recht (SP)</i>		3 ECTS/LP
Version 1.0.1 Person responsible for module: Prof. Dr. Thomas Möllers		
Contents: This course includes a short summary of the French judicial organization. It discusses the French system of responsibility in torts and gives an introduction to French Company Law including the different types of companies, common and specific regulations and the liability of partners and managers.		
Learning Outcomes / Competences: The students will gain insights into the basics of French law.		
Remarks: The course will be held as part of the "Augsburg Summer Program" in the second half of the summer semester.		
Conditions: The course is held in French.		Credit Requirements: Passing the module exam
Frequency: irregular	Recommended Semester:	Minimal Duration of the Module: 1 semester[s]
Contact Hours: 1	Repeat Exams Permitted: none	
Parts of the Module		
Part of the Module: Introduction to French Law (SP) Language: French Contact Hours: 1		
Examination Introduction to French Law (SP) oral exam, graded		