Outline

This course provides an outline of the intellectual property laws of Japan in practice, especially focusing on the major topics of patent, copyright, brand and culture which will also be frequently discussed in any other jurisdictions including EU, the U.S, and Asian countries.

This course provides students with practical training to learn how they can utilize the tools given by intellectual property laws to protect their rights.

The students are requested to join several workshops in collaboration with colleagues to solve practical questions such as designing a strategy to prove the facts claimed by the plaintiff in a litigation, drafting a patent claim, drafting terms and conditions of a license agreement, etc.

Class Format for Spring 2021

This course will be conducted online using ZOOM. All class materials, including ZOOM meeting information, will be distributed via Moodle (the online course system of the university).

If you have difficulties participating in the ZOOM class "live," due to the time difference or some technical difficulties, then please watch the recorded lecture available from Moodle and submit a short report to the Management Office within 24 hours summarizing the content and giving your opinion of the issues. The report should be 600-800 words.

Exchange students are also welcome.
Course Website

- [https://moodle.s.kyushu-u.ac.jp](https://moodle.s.kyushu-u.ac.jp)
- Resume, reading materials and other information will be posted on the course website.

Course Structure

The course structure may be subject to change and modification as the course progresses.
The item numbers below do not necessarily correspond to the lecture number.

1. Formulating a Copyright Infringement Litigation, Part 1 - to Identify the Facts to be Claimed and Proven by the Plaintiff.
2. Formulating a Copyright Infringement Litigation, Part 2 - to Identify the Disputes between the Plaintiff and the Defendant.
3. Formulating a Copyright Infringement Litigation, Part 3 - to Persuade the Court to Conclude that the Facts Claimed by the Plaintiff Fall Within the Definition of the Requirements Provided by the Relevant Provisions of Law.
4. Formulating a Copyright Infringement Litigation, Part 4 - to Learn that Evidences Advantageous to the Plaintiff in One Issue can be Disadvantageous to the Plaintiff in Another Issue.
5. Formulating a Patent Infringement Litigation, Part 1 - to Identify the Facts to be Claimed and Proven by the Plaintiff, and to Identify the Disputes between the Plaintiff and the Defendant.
6. Formulating a Patent Infringement Litigation, Part 2 - to Persuade the Court to Conclude that the Facts Claimed by the Plaintiff Fall Within the Definition of the Requirements Provided by the Patent Claim.
7. Examining the Patentability of Inventions - Novelty.
8. Examining the Patentability of Inventions - Non-obviousness.
11. Shaking Hands with Your Competitor After a Litigation - to Draft Outlined Terms and Conditions of a License Agreement and Consider the Strengths and Limitations of Your Draft Terms and Conditions of a License Agreement.
12. Protect Your Brand.
Reading Materials
● To be posted on the course website from time to time.

Grading
● Grading will be based on class participation and the final examination (take home exam).

English Proficiency

*Note that for students not currently enrolled on an international program, this course requires sufficient English proficiency equivalent to about 92 pts. (Internet-based) in TOEFL.

*This course is open for the European Union Studies Diploma Programmes (EU-DPs). See more details here; [http://eu.kyushu-u.ac.jp/](http://eu.kyushu-u.ac.jp/)
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<td>Course</td>
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<tr>
<td>Subject Name</td>
<td>Transnational Business Law (B) (A.L.)</td>
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<tr>
<td>Course Title</td>
<td>International Maritime Law</td>
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<tr>
<td>Credit</td>
<td>2</td>
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<tr>
<td>Lecturer</td>
<td>Caslav Pejovic</td>
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**Outline**

The object of this course is to provide the students with a general understanding of the fundamental issues of international maritime law and lead them to sources to learn more. The course will focus on the international regulation and comparative law analyses of the most significant topics of international maritime law. The lecture classes will include an initial “general part” for the benefit of those who lack prior background in international maritime law. The main idea of the course is to cover a wide range of subjects related to the international maritime law, trying to identify the main issues for each of them and how they are dealt with by the law and in the practice. The course provides a more in-depth study with regard to the selected areas in law and practice, which are identified as being more essential and most widely adopted in maritime business. The course will start with issues related to the legal status and safety of the ship, ways of acquisition of the ship. The central part of the course will deal with carriage of goods by sea. The last part will deal with accidents at sea and tort liability.

**Class Format for Spring 2021**

This course will be conducted “hybrid” style using ZOOM. All class materials, including ZOOM meeting information, will be distributed via Moodle (the online course system of the university).

If you have difficulties participating in the ZOOM class "live," due to the time difference or some technical difficulties, then please watch the recorded lecture available from Moodle and submit a short report to the Management Office within 24 hours summarizing the content and giving your opinion of the issues. The report should be 600-800 words.

Exchange students are also welcome.

**Course Structure**

The course will follow a lecture and discussion format. Students will receive reading materials in advance and they are expected to read the assigned readings and be prepared to discuss them in class. Participation in class discussion is required. In order to have a meaningful class discussion, and in order for students to learn as much as possible, all students should participate. Class time will be used for discussion of the subject covered by reading materials. Written questions for discussion may be handed out with the reading materials before the class, so that students have time to prepare their ideas before the class.

**Assessment**

Assessment of students’ performance in the course will be based on class participation and the final exam.

English Proficiency

*Note that for students not currently enrolled on an international program, this course requires sufficient English proficiency equivalent to about 92 pts. (Internet-based) in TOEFL.*
Course Overview
This course will introduce students to the discussion on modern conflict management theories as well as practical skills of mediation. Mediation is considered to be the prototype method of modern conflict management systems to empower the parties to get satisfactory and sustainable solutions.
All students will be divided into groups which make the presentations on mediation skills and Alternative Dispute Resolution (ADR) literatures. Students will also have opportunities to play mock mediation scenarios.

Course Schedule
Will be distributed in the first class.

Course Material
1) The assigned textbook for mediation skills is following:
2) The other materials will be distributed in the first class.

Assessment
Will be made based on the followings:

1) Group Presentation: Participants will be divided into groups. Each of the groups will make a presentation on a topic. Peer evaluation will be taken. The detail information will be provided in the first class.
2) Take-home-exam: Two take-home-exams will be assigned.
3) Class participation

English Proficiency
*Please note that for non-LL.M./YLP/BiP/JDS/JLTT students, this class is for everyone who can command daily English, i.e. who can somehow express their thoughts in English.
Term: Spring 2021 (Quarter 3)
Course: YLP/LL.M./JDS/BiP
Subject Name: IP and Innovation (B) (A.L.)
Course Title: IP/IT Dispute Resolutions in International Matters
Credit: 2
Lecturer: Julia Jiyeon Yu

Outline

1. The course will examine (i) various international commercial arbitration cases and court cases for IP/IT dispute resolution, (ii) international treaty-based investment arbitration in IP matters, and (iii) the licensing of standard-essential patents (SEPs) on fair, reasonable and non-discriminatory (FRAND) terms.

2. Provisionally, please refer to the following sectors.
   - IP (patent infringement / copyright / trademark) disputes
   - Trade secret / Licensing disputes / FRAND terms disputes
   - Healthcare, pharmaceutical / Data protection vs promotion of AI / Big data
   - IT/electronics, engineering/new technology
   - e-commerce / Blockchain / cryptocurrency
   - Sharing economy / Media, Sports, entertainment related disputes etc.

3. I request students to consider which sector and what case will be introduced in their ppt slides and presentation in advance. If a student finds new interesting cases which are not fully relevant with IP/IT matter, that is also fine.

4. Here are some case examples which students can consider for a report and presentation. These are just suggestions and students should search by themselves to find an interesting case for their presentation.
   1) B2C2 vs Quoine (Cryptocurrency case)
   2) Disney Enterprises, Inc. and ors vs M1 Limited and ors
   3) Philip Morris vs Oriental Republic of Uruguay / Philip Morris vs Australia
   4) Eli Lilly vs Government of Canada
   5) Louis Vuitton vs Haute Diggity Dog / Louis Vuitton vs Hangover filmmaker
   6) Huawei vs Samsung (FRAND case)
   7) Naruto v. David Slater
   8) Unwired planet vs Huawei
   9) PERFECT 10, INC. vs GOOGLE INC
   10) Lenz. vs Universal Music
   11) Mattel Inc. vs MGA Entertainment Inc.
   12) Apple vs Samsung
   13) Christian Louboutin S.A. v. Yves Saint Laurent
   14) Ranbaxy vs Daiichi Sanyo
   15) COVID19 and IP related issues?

5. Your case presentation must be enough to give one hour (not including Q&A). If your case is not sufficient to present for one hour, please add and introduce a similar and/or relevant case into your presentation for a reference case.

6. The case presentation should consist of (i) introduction of case background (ii) summary of factual background, (iii) legal issues dealt with, and (iv) comments or remarks. You can refer to any article as you wish to introduce the cases. Please cite the source in your presentation material.

7. Please note that I will consider positively those who are willing to perform presentation earlier than others (given that they would prepare it within a shorter time). After the presentation, students can update and submit their presentation material by 31 May 2021.

8. Please email me julia8676@gmail.com by 12:00pm on 5 April (Monday) to inform which sector and what case you would like to prepare a report and presentation.
Class Format for Spring 2021
This course will be conducted online using ZOOM. All class materials, including ZOOM meeting information, will be distributed via Moodle (the online course system of the university).

If you have difficulties participating in the ZOOM class "live," due to the time difference or some technical difficulties, then please watch the recorded lecture available from Moodle and submit a short report to the Management Office within 24 hours summarizing the content and giving your opinion of the issues. The report should be 600-800 words.

Exchange students are also welcome.

Assessment
No examination will be conducted for assessment. I will assess based on (i) your presentation material (40%), (ii) presentation (30%) and (iii) how much actively involved in Q&A sessions during the classes (30%).

English Proficiency
*Note that for students not currently enrolled on an international program, this course requires sufficient English proficiency equivalent to about 92 pts. (Internet-based) in TOEFL.
Outline

Over the last decade, FinTech – broadly defined as the use of new technology and innovation to compete in the marketplace of financial institutions and intermediaries – has disrupted the financial services sector. Incumbent banks and regulators have often struggled to adapt to these technology-driven changes.

This course will provide an introduction to Fintech, and the different visions of the future of financial services, as well as examining various challenges related to the design of an appropriate regulatory response to this on-going transformation.

Class Format for Spring 2021

This course will, at least, initially, be conducted entirely online using ZOOM. If the pandemic situation improves, however, the classes may be held in-class with a hybrid format.

All class materials, including ZOOM meeting information and PPT slides and readings, will be distributed via MOODLE (the online course system of the university). The course is called:

2021年度春学期・金1・IT and the Law (D) (A.L.) (フェニック M. D.)

And the URL is: https://moodle.s.kyushu-u.ac.jp/course/view.php?id=35034

The ZOOM meeting information for the first class is as follows:

Time: Apr 2, 2021 08:40 AM

Join Zoom Meeting:
https://us02web.zoom.us/j/88450724867?pwd=dVVkZkl5Qk1kN3MxL2h3QjVCdVVwQT09

Meeting ID: 884 5072 4867
Passcode: 687115

The first class will provide a general introduction and overview, so please attend to see if you are interested in the content.

If you have difficulties participating in the ZOOM class "live," due to the time difference or some technical difficulties, then please contact the professor for a recorded version of the class.

Exchange students are welcome to take this course.
The course will focus on understanding the following two technology-driven visions of the future of financial services – a radical vision (“Open Banking”) and a very radical vision (“Decentralized Finance”) – and examine some of the regulatory implications of these two models:

1. **“Open Banking” and the EU Payment Services Directive 2**
   As part of a broader strategy of shaping “Europe’s Digital Future”, the EU has introduced some interesting new laws that oblige incumbent financial institutions, most obviously banks, to share their customer information and payment service functionality with two new types of third-party financial service providers / fintech firms. This EU law is heavily influenced by the Open Banking movement and is based on the idea that building partnerships between incumbent providers and smaller fintech startups is the best way to achieve safe innovation in financial services.

2. **Blockchain, Crypto & Decentralized-Finance (“De-Fi”)**
   The alternative, and even more radical, vision of the future of financial services is associated with blockchain. The rise of De-Fi – smart-contract-driven, blockchain based, mobile applications (so-called distributed applications or DApps) – offers the vision of a completely decentralized financial system that does away with traditional providers and regulatory models. There is an enormous amount of interest (and investment) in this space right now and understanding the unique value proposition, as well as the risks, of De-Fi is important for understanding current and future trends in FinTech and financial services regulation.

If there is time, we also explore some contemporary developments in “RegTech” and “LegalTech,” as these technologies are highly developed in a FinTech context and there is a vibrant ecosystem of service providers and startups.

**Assessment**

Students will be assessed according to the following criteria:

Class participation (25%) + a 24 hours “take home” examination (75%).

Further details on the explanation will be provided in class 1.

**English Proficiency**

*Note that for students not currently enrolled on an international program, this course requires sufficient English proficiency equivalent to about 92 pts. (Internet-based) in TOEFL.*
### Outline

This course will seek to familiarize the students with the technical aspects of writing a thesis. In order to do so, the course will break the entire process of writing into smaller steps and each of these steps will be dealt with in the chronological order of relevance to the writing process. The just mentioned steps will be topic selection and the legal qualification (research question and situating the question in the law), collecting and processing information (library, internet sources, critical reading), citation (footnotes, bibliography, avoidance of plagiarism), legal reasoning (argumentation techniques), and editing (introduction, chapter structuring, paragraphs, headings, conclusion).

### Class Format for Spring 2021

This course will be conducted online using ZOOM. All class materials, including ZOOM meeting information, will be distributed via Moodle (the online course system of the university).

If you have difficulties participating in the ZOOM class "live," due to the time difference or some technical difficulties, then please watch the recorded lecture available from Moodle and submit a short report to the Management Office within 24 hours summarizing the content and giving your opinion of the issues. The report should be 600-800 words.

### Course Structure

The course will mainly follow the pattern of lectures. However, interaction between the lecturer and the students and students amongst each other will be stimulated. To this end, student will be given reading and writing assignments.

### Assessment

Assignments

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**English Proficiency**

*Note that for students not currently enrolled on an international program, this course requires sufficient English proficiency equivalent to about 92 pts. (Internet-based) in TOEFL.*
<table>
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<th>Term</th>
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<td>Course</td>
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<td>Subject Name</td>
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<td>Course Title</td>
<td>Legal Research Methodology and Writing</td>
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<tr>
<td>Credit</td>
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<tr>
<td>Lecturer</td>
<td>Steven Van Uytsel</td>
</tr>
<tr>
<td>Office</td>
<td>E-D-514, 5F East Zone 2</td>
</tr>
<tr>
<td>e-mail</td>
<td><a href="mailto:uytsel@law.kyushu-u.ac.jp">uytsel@law.kyushu-u.ac.jp</a></td>
</tr>
</tbody>
</table>

**Outline**

This course will seek to familiarize the students with the technical aspects of writing a thesis. The focus will be on citation (footnotes, bibliography, avoidance of plagiarism), legal reasoning (argumentation techniques), and editing (introduction, chapter structuring, paragraphs, headings, conclusion).

The course will also do a iThenticate plagiarism check on the first drafts of the students’ thesis.

**Class Format for Spring 2021**

This course will be conducted in-class only.

**Course Structure**

The course will mainly follow the pattern of lectures. However, interaction between the lecturer and the students and students amongst each other will be stimulated. To this end, student will be given reading and writing assignments.

**Assessment**

Assignments

**English Proficiency**

*Note that for students not currently enrolled on an international program, this course requires sufficient English proficiency equivalent to about 92 pts. (Internet-based) in TOEFL.*
Outline

The comedian Groucho Marx once joked, “I shot an elephant in my pajamas. How he got into my pajamas I’ll never know.” We assume we all understand the first sentence when we read it, but the second sentence gives us an entirely different (and in this case, ridiculous) interpretation. The joke provides us with a bit of humor, and all is fine. Yet, sentences open to misinterpretation are written daily around the world, sometimes in news headlines, other times in government announcements, other times in laws and regulations. The alternative interpretations are not always ridiculous, but often cause confusion and result in unintended consequences and lost revenue. The US Treasury was forced to pay out millions of dollars in 1874 because of a misplaced comma. Just 2 years ago, a dairy company in the US was forced to pay 5 million dollars in back-pay for a similar reason – even though the vague phrase that caused the misunderstanding was entirely “correct” according to accepted grammar and style guides.

It is evident that an understanding of grammar rules only goes so far. Effective writing requires fewer concerns of correctness and more focus on what message the reader will get. The writer needs to think like the reader. There has been a strong movement toward encouraging more practical language in contracts, government policies and regulations. Lawyers and academics are among the groups that fall into the trap of using arcane expressions where a common phrase would be better understood. The advantages of using language that does not leave the reader behind are obvious. A well-written proposal is more likely to win acceptance. A well-written regulation is more likely to be understood and properly observed. A well-written policy is more likely to be successfully implemented.

This course will help raise awareness of effective writing. With group-work and analysis of writing done in class workshops, we will find ways to make our writing more effective and easier to digest, and to eliminate vague writing that can lose the attention, trust and favor of our readers. The goal is for students to leave the class with a better sense of how to persuade with effective writing and how to continually improve their rhetoric for success in the future.

Class Format for Spring 2021

This course will be taught entirely online, Mondays, 5th period.

For April entry LL.M. program students, this class is compulsory. Please note, however, that any credit received for this course cannot be counted towards the 20 coursework credits required for graduation.

October 2020 entry students can take the class again if they wish, although the content is substantively the same as taught in the Fall semester 2020.
Course Structure

There are two required references for this class:

by William Strunk Jr., Richard De A'Morelli

Plain English for Lawyers 5th Edition
by Richard C. Wydick

The class will be centered around group workshops and instruction. The students will be able to help each other with inputs and refinements, and the results will be compared. The focus will be on making writing more effective and concise. There will also be workshops on rhetorical writing to achieve specified results or responses. We will select written passages and then work together to completely change their effect on the reader. The class will cover topics such as:

- What is grammar, and when is it OK to ignore it? What is effective writing, and how can you learn to identify and replace ineffective words, sentences and phrases?
- Building blocks with “glue” words, clauses, sentences and paragraphs. How to tie them together to build a cohesive report or proposal, eliminate roadblocks and win over the reader.
- A review of punctuation and transitional words and phrases that direct the reader’s attention.
- Presenting the same facts in different ways for rhetorical effect.
- Quoting, paraphrasing and presenting 3rd party views.
- Eliminating excessive words and writing concisely.
- Common writing traps, nominalization, “it” constructions, repetition, clichés, passive clauses.
- How to write convincing and authoritative reports.

Assessment

Students will be assessed by class participation and submissions, and a final essay on the concepts learned.

English Proficiency

*Note that for students not currently enrolled on an international program, this course requires sufficient English proficiency equivalent to about 92 pts. (Internet-based) in TOEFL.
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<tr>
<td>Course</td>
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<tr>
<td>Subject Name</td>
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<td>Course Title</td>
<td>Effective Legal Writing II</td>
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<td>Credit</td>
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<tr>
<td>Lecturer</td>
<td>William Fish</td>
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**Outline**

Over the past 20 years or so, the “10,000-hour rule” has become a popular guideline for those trying to achieve mastery of just about any creative endeavor, including writing. We are happy to report that this rule has been more or less debunked, and you can use several thousand hours for some other interest. It’s not the hours put in that count, so much as the focus and form of practice. And that’s a good thing, because this course is closer to 10 hours than 10,000 hours. While mastery is not guaranteed in that short time, these 90-minute classes will be put to good use in the most practical of ways. The smaller class size will allow work to be done in class, often in teams, and will also enable regular feedback. Each person has some particular habits that cause their writing to suffer, which means that they are less able to communicate their thoughts or to persuade a reader.

In the course of these lessons, we will work to identify each student’s strong points and weak points, to build on the former and reduce the latter. Smaller problems will be overcome by identifying them, and workshops combined with feedback will be designed to create new habits that can be used to ensure continual improvement in writing in the years after the course has been completed. Strong points will also be identified to help students find their writing “voice.”

This will feature more in-class writing and discussion than in Effective Legal Writing 1, and focus on practical application.

**Class Format for Spring 2021**

This course will be taught entirely online on Wednesday 5th period.

The course is designed for October 2020 entry students who wish to brush up their academic writing.

The number of participants will be limited to 15. In case over 15 students wish to attend, the selection will be made by the lecturer based on last semester.
Course Structure
There are two required references for this class:

by William Strunk Jr., Richard De A'Morelli

Plain English for Lawyers 5th Edition
by Richard C. Wydick

The class will be centered around group workshops and instruction. The students will be able to help each other with inputs and refinements, and the results will be compared. The focus will be on making writing more effective and concise. There will also be workshops on rhetorical writing to achieve specified results or responses. We will select written passages and then work together to completely change their effect on the reader. The class will cover topics such as:

- What is grammar, and when is it OK to ignore it? What is effective writing, and how can you learn to identify and replace ineffective words, sentences and phrases?
- Building blocks with “glue” words, clauses, sentences and paragraphs. How to tie them together to build a cohesive report or proposal, eliminate roadblocks and win over the reader.
- A review of punctuation and transitional words and phrases that direct the reader’s attention.
- Presenting the same facts in different ways for rhetorical effect.
- Quoting, paraphrasing and presenting 3rd party views.
- Eliminating excessive words and writing concisely.
- Common writing traps, nominalization, “it” constructions, repetition, clichés, passive clauses.
- How to write convincing and authoritative reports.

Assessment
Students will be assessed by class participation and submissions, and a final essay on the concepts learned.

English Proficiency

*Note that for students not currently enrolled on an international program, this course requires sufficient English proficiency equivalent to about 92 pts. (Internet-based) in TOEFL.*
Outline
This course aims to explore some important topics in the field of corporate law by making a comparison between the Japanese corporate law and the foreign regimes of corporate law in the world.
This course will start with an introduction to Japanese corporate law for those who have had little exposure to it.
Then, it will deal with several important topics as shown below.

Class Format for Spring 2021
This course will be conducted online using ZOOM. All class materials, including ZOOM meeting information, will be distributed via Moodle (the online course system of the university).
If you have difficulties participating in the ZOOM class "live," due to the time difference or some technical difficulties, then please watch the recorded lecture available from Moodle and submit a short report to the Management Office within 24 hours summarizing the content and giving your opinion of the issues. The report should be 600-800 words.
Exchange students are also welcome.

Course Structure
Each student is expected to give an oral presentation at least once during the course.

Part I “Introduction to Japanese corporate law: Basic framework of Japanese corporate law”
1. Introduction.
2. What are corporations?
3. Types of corporations.
4. Shareholder and stakeholders of corporation.
5. Management and supervision.
6. Corporate takeovers and M&A.
7. Corporate governance.
8. Today’s other main issues in Japanese corporate law, etc.

Part II “Looking at corporate law from a comparative perspective”
Foreign frameworks including students’ countries.

Assessment
(1) General class participation including a presentation: 50%
(2) Report: 50%

English Proficiency
*Note that for students not currently enrolled on an international program, this course requires sufficient English proficiency equivalent to about 92 pts. (Internet-based) in TOEFL.
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<tr>
<td><strong>Course</strong></td>
<td>LL.M./YLP/JDS/BiP/Lifelong Learning</td>
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<td><strong>Course Title</strong></td>
<td>Creative Economy and Cultural Diversity</td>
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<td><strong>Credit</strong></td>
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<tr>
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<tr>
<td><strong>Lecturer</strong></td>
<td>Prof. Ryu KOJIMA</td>
</tr>
<tr>
<td><strong>Office</strong></td>
<td>E-D 517, East Zone 2, 5F</td>
</tr>
<tr>
<td><strong>e-mail</strong></td>
<td><a href="mailto:kojima@law.kyushu-u.ac.jp">kojima@law.kyushu-u.ac.jp</a></td>
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</table>

**Outline**

In this class, we would like to explore various issues related to “creative economy” (or “creative industries”) and “cultural diversity” from a normative point of view.

In order to achieve diversification of cultural expressions in the society (hereinafter, “cultural diversity”), “creative economy” (or “creative industries”) plays very crucial role.

According to the definition of DCMS (UK Government Department for Culture, Media and Sports), “creative industries” includes various creative sectors such as Advertising, Architecture, Arts and antique markets, Crafts, Design, Designer Fashion, Film, video and photography, Software, computer games and electronic publishing, Music and the visual and performing arts, Publishing, Television, and Radio. Without economic empowerment, sustainable development could not be possible in all developed/developing economies.

At the same time, various other issues are closely related to the concept of “cultural diversity”, including language, education, religion, good governance, cultural diplomacy, etc.

It would be meaningful to analyze how these concepts are related with economic aspect of culture. In other words, we would like to identify to what extent economic/industrial measures in cultural policy could function (or could not function) in pursing cultural diversity.

In this class, we would like to examine various challenging issues related to “creative economy”, “creative industries” and “cultural diversity”, adopting an interdisciplinary approach.
Course Structure

Participants in this class are required to read the materials beforehand, and actively participate in discussion in the class. Participants are also required to make presentations.

Reading Materials:

The contents of the above-mentioned UNESCO report are as follows:
Introduction: Advancing creativity for development
Chapter 1. Towards more collaborative cultural governance
Chapter 2. Enlarging choices: cultural content and public service media
Chapter 3. Cultural policies in the age of platforms
Chapter 4. Engaging civil society in cultural governance
Chapter 5. Surviving the paradoxes of mobility
Chapter 6. Persisting imbalances in the flow of cultural goods and services
Chapter 7. The Convention in other international forums: a crucial commitment
Chapter 8. The integration of culture in sustainable development
Chapter 9. Gender equality: missing in action
Chapter 10. Promoting the freedom to imagine and create


The contents of the above-mentioned UNESCO report are as follows:
Introduction
Chapter 1. Advancing the legal protection of artistic freedom
Chapter 2. Advancing the social and economic rights of artists
Chapter 3. From access to knowledge to global monitoring and advocacy

Assessment

Assessments will be based on the class participation and the final examination.

English Proficiency:
*Note that for students not currently enrolled on an international program, this class requires sufficient English proficiency equivalent to about TOEFL iBT 92.

*This course is open for the European Union Studies Diploma Programmes (EU-DPs). See more details here; http://eu.kyushu-u.ac.jp/
### Term
Spring 2021 Quarter 4

### Course
Elective for YLP, LL.M., JDS & BiP

### Subject Name
Law and Governance (C) (A.L.)

### Course Title
Platforms and the Law

### Credit
1

### Lecturer
Kentaro HIRAYAMA, Satoshi NARIHARA

### Outline
In this class, we would like to examine legal issues related to platforms from an interdisciplinary approach.

In today’s society, platforms play important roles. Especially global platforms such as Google, Amazon, Facebook and Apple play very crucial roles as well as raise legal concerns such as competition and privacy. Recently many countries including the United States, European countries and Japan try to introduce some kinds of regulations on platforms.

This class considers legal issues of platforms with a particular focus on competition law issues and information law issues of platforms, studying regulations, cases and discussions of platforms in the United States, European countries and Japan.

First of all, we introduce you to the field of platforms and the law, referring to the tentative definition of “platform”, leading cases of the field, and topics of this class. Next, we study competition law issues of platforms, focusing on issues related to two-sided market. Next, we will study information law issues of platforms, focusing on free flow of information and its limitation through platforms as well as privacy and data protection of users of platforms.

To this end, we will assign each chapter of theses and documents (please see below “Tentative Reading Materials”) and ask students to report issues discussed in that chapter.

This course is open for the European Union Studies Diploma Programmes (EU-DPs).

See more details here; http://eu.kyushu-u.ac.jp/

### Class Format for Spring 2021
This course will be conducted online using ZOOM. All class materials, including ZOOM meeting information, will be distributed via Moodle (the online course system of the university).

If you have difficulties participating in the ZOOM class "live," due to the time difference or some technical difficulties, then please watch the recorded lecture available from Moodle and submit a short report to the Management Office within 24 hours summarizing the content and giving your opinion of the issues. The report should be 600-800 words.

Exchange students are also welcome.

### Course Structure
Participants in this class are required to read the materials beforehand, and actively participate in discussion in the class.

### Tentative Reading Materials:

Assessment

Assessments will be based on the class participation and end-of-term report.

English Proficiency

*Note that for students not currently enrolled on an international program, this course requires sufficient English proficiency equivalent to about 92 pts. (Internet-based) in TOEFL.
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<td>Course</td>
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<tr>
<td>Subject Name</td>
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<td>Course Title</td>
<td>Contemporary Issues in Competition Law</td>
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Outline
One of the most egregious forms of a competition law infringement is cartel formation. Cartels almost always have a negative impact on consumer prices. Therefore, many competition law enforcement authorities have made it their top priority to eradicate any form of cartelization (price fixing, bid rigging, production quotas, etc.). One tool that has facilitated to realize this policy goal is the leniency program. Leniency programs allow enforcement authorities to rely on inside information for the otherwise very secretively operating cartels. The smooth operation of a leniency program depends on various other factors, legal or extra-legal.

It is the purpose of this course to provide more insight in the working of a leniency program to enforce competition (cartel) law. In doing so, will also provide information on other instruments used in the enforcement of competition law. To clarify these issues, the course will draw from examples of various jurisdictions.

Class Format for Spring 2021
This course will be conducted in-class only.

Course Structure
The course will cover, among others, the following subjects:
1) cartels in society (punish or not) – covering various political options towards the (il)legality of cartels
2) cartels and economic theory – insights of economic theory on whether cartels should be punished
3) cartel and enforcement – how start an investigation – how conduct a proper investigation
4) leniency programs – conceptualization – interaction with criminal sanctions, private damages actions – settlement procedures – international coordination policies

Assessment
Group presentation and individual report

English Proficiency
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Outline
The course aims to introduce students to (i) some of the core Hague conventions on private international law (hereinafter, “HCCH Conventions”) and (ii) the development of law and practice of various jurisdictions towards the implementation or/and operation of the HCCH Conventions. The students are expected to understand the significance of cross-border cooperation for legal harmonization in civil or commercial matters through some of the key HCCH Conventions on civil procedures and other particular subject matters. This process involves examining the legal environment surrounding those subject matters to assess possible barriers and opportunities in the adoption or/and implementation of the HCCH Conventions in various jurisdictions. For this reason, students’ participation will be the key contribution to dynamic, enriching discussions. In the latter part of the course, each participant will be given an opportunity to introduce the legal landscape of its jurisdiction in relation to the subject matter or/and HCCH Convention. This is expected to help other participants understand the current situations or problems each jurisdiction has been facing in adopting or implementing the relevant HCCH Conventions, which will provide insights into the trend and importance of building international legal harmonization.

This course takes full advantage of network and diversity. The course will be open to both LL.M. and LL.D. students to create another level of international forum by facilitating the discussion about HCCH Conventions and their implementation status. Lecturers are planning to invite experts from the HCCH, which has maintained its steady, cooperative relationship with Kyushu University, to some seminars for short lectures and quality discussions about the HCCH Conventions. Lecturers also intend to involve LL.M. graduates having practical experiences in relation to the relevant HCCH Conventions or subject matters covered by this course, which will be valuable input of the course.

Class Format for Spring 2021
The classes and the final workshop will be conducted online using ZOOM. The Zoom meeting information on each class will be announced by Moodle (the online course system of the university).

Exchange students are also welcome.

Course Structure
In the first part of this course, participants are expected to take introductory lectures on recent implementation and operation of some of the core HCCH Conventions. In the latter part of this course, based on preparatory research on the adoption and implementation of the HCCH Conventions of their choice, the participants are expected to run a series of seminars with following, intensive discussion with other participants after each presentation.
Assessment

Assessment will be based on;
1) Class Participation (in-class discussion) and
2) Seminar Participation (presentation and discussion)

The seminar/presentation will be scheduled after the class registration and the discussion with participants in the first class.

English Proficiency

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### Outline

This course will introduce students to today’s most pressing global environmental challenges. It is highly recommended as a supplement to *International Relations and Global Governance* (Fall 2020, Quarter 1). The course is designed as an interactive lecture series, where students are expected to actively contribute to the class discussions, present case studies and practice to give constructive feedback.

The course will begin by discussing one of the most intractable environmental problems in today’s world, that of climate change and the necessary transformation of global energy systems. Students will be introduced to the historical trajectories that led to the current climate crisis and the international negotiations to regulate and mitigate greenhouse gases. They will also learn about the challenges of energy system transitions around the world, the complexities of climate change negotiations, and the multiple obstacles to formulating a feasible national climate change strategy.

In the remainder of the course, students will be asked to critically examine several other transboundary environmental issues, such as the depletion of natural resources, ambient air pollution, waste, or the loss of biodiversity. They will not only explore the origins and the scale of the problems, but also learn about actor coalitions, international regimes and proposed solutions to address these issues.

**IMPORTANT NOTE**

*Students taking this class are required to attend the first session, in which class instructions and assignments will be distributed.*

### Class Format for Spring 2021

This course will be conducted “hybrid” style using ZOOM. All class materials, including ZOOM meeting information, will be distributed via Moodle (the online course system of the university).

This class is “live” class only, with no recording

Exchange students are also welcome.
Course Structure

Introduction
S1: Environmental policy making in the Anthropocene

The Energy & Climate Nexus
S2: World energy outlook
S3: Geopolitics, energy security and governance

Energy System Transitions
S4: Technology options
S5: Public policy and energy economics
S6: Energy poverty and rural electrification

Climate Change
S7: The international climate regime
S8: Complex multilevel governance
S9: Alternative approaches 1
S10: Alternative approaches 2

Transboundary Environmental Issues
S11: Population growth and resource depletion
S12: Global biodiversity: Genetic resources, species and ecosystems
S13: Air pollution and waste
S14: Agriculture and fresh water
S15: Marine protection: Oceans and fisheries

Course Readings

Some sessions have required readings that have to be completed by the dates they are assigned, and students are expected to actively contribute to class discussions based on the material provided. Course materials will be uploaded on the program website or distributed in class. Although there is no required textbook for this course, students are strongly encouraged to study one or more of the suggested readings below (available at the Kyushu University Central Library):

- **Axelrod, R. S., & VanDeveer, S. D. (Eds.). (2014).** The global environment: institutions, law, and policy. CQ Press.
Assessment

Students will be assessed according to the following criteria:

- Attendance and active class participation (20%)
- Presentation & peer-review (80%)

Or:
- Media report & essay (80%)

English Proficiency

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Outline

[COURSE GOALS]
To introduce the complexity of contemporary border spaces and their value for thinking about the politics of security, development and international relations in an Asian age.

[AIMS]
This course shall introduce border studies in an Asian context. It shall help explain why borders have retained their significance in a globalized world, and the utility of analyzing them from an interdisciplinary perspective. This course will provide a range of perspectives on the development and role of borders in contemporary Asia.

[OBJECTIVES]
This course shall:
(1) offer a theoretical background to the development of border studies as a distinct interdisciplinary field of study;
(2) introduce a range of empirical examples of border phenomenon from across Asia; and
(3) provide a series of analytical lenses with which to further your own research.

Class Format for Spring 2021
This course will be conducted online using ZOOM. All class materials, including ZOOM meeting information, will be distributed via Moodle (the online course system of the university).

If you have difficulties participating in a ZOOM class "live," due to the time difference or some technical difficulties, then please discuss this with the lecturer.

Exchange students are also welcome.

Course Structure
Further details, and a reading list, will be given in the first session on Wednesday 7th April. It is expected that students intending to take the course will attend this first session.

[RECOMMENDED READING]
Assessment

Class Attendance: 30%

Participation & Presentations: 30%

Essay: 40%

Everyone is expected to come to each class having read the compulsory reading, as well as any additional readings they have been assigned. Many of the classes involve presentations and group discussions; some presentations will be collaborative, which will require you to coordinate your responsibilities outside of class.

One compulsory research essay that should demonstrate an engagement with the theoretical and practical content of this course. The essay is not required to be on Asia.

English Proficiency

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Term | Spring 2021 (semester-length)
---|---
Course | LL.M./YLP/JDS/BiP (compulsory for JDS)
Subject Name | Contemporary Issues in Japanese Law (A) (A.L.)
Course Title | Law and Development: A Japanese Perspective and Experience
Credit | 2
Class | Omnibus lectures
Lecturer | Prof. Ryu KOJIMA (coordinator), Professors from Kyushu University Faculty of Law, and Lecturers from JICA
Office | E-D 517, East Zone 2, 5F
E-mail | kojima@law.kyushu-u.ac.jp

Outline

In 2018, Japan commemorated 150 years since the Meiji Restoration. As a part of the “JICA Development Studies Program (JICA-DSP)”, this course aims to review the Japanese experience of modernization and development from a legal perspective.

This course consists of three parts:

First, we would like to introduce a theoretical framework, namely, “Comparative and Historical Institutional Analysis”, to make an analysis in the following classes.

Second, we will invite professors of Kyushu University, Faculty of Law from various disciplines to trace the Japanese experience of law and development.

Third, we will learn more about the history of Japanese Official Development Assistance (ODA) from specially invited guests from JICA.


Class Format for Spring 2021

This course will be conducted “hybrid” style or online using ZOOM. All class materials, including ZOOM meeting information, will be distributed via Moodle (the online course system of the university).

If you have difficulties participating in the ZOOM class "live," due to the time difference or some technical difficulties, then please watch the recorded lecture available from Moodle and submit a short report to the Management Office within 24 hours summarizing the content and giving your opinion of the issues. The report should be 600-800 words.

Exchange students are also welcome.
Course Structure

The course consists of omnibus lectures by several professors from Kyushu University and practitioners from JICA. The first 4 classes will be organized as follows.

Participants are expected to read the following materials and actively participate in the discussion.

Class 1

Introduction:


*You do not need to read the whole article.


Class 2

The Function of Norms:


Class 3

Historical Institutional Analysis:


Class 4

Institutional Economics and Development:


The detailed schedule of the following classes will be announced later.

Assessment

Assessments will be based on the class participation and a final report.

English Proficiency

*Note that for students not currently enrolled on an international program, this course requires sufficient English proficiency equivalent to about 92 pts. (Internet-based) in TOEFL.
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**Outline**

This is a special course for JDS students only. One credit is awarded for this course per semester. The main focus of this course is on thesis development and thesis presentation skills. Further information will be provided during JDS Orientation Week.

**Class Format for Spring & Fall 2021**

This course will be conducted online using ZOOM. All class materials, including ZOOM meeting information, will be distributed via E-mail.

**Course Structure**

To be provided during JDS Orientation Week.

**Assessment**

Grading will be based on class participation.

**English Proficiency**

*Note that for students not currently enrolled on an international program, this course requires sufficient English proficiency equivalent to about 92 pts. (Internet-based) in TOEFL.*
Outline

This course seeks to train students in different skills necessary for successfully completing an LL.D. course: legal academic writing, critical reading, public presenting and acquiring broader theoretical knowledge.

The course will critically assess the written progress of each LL.D. student’s research. For this purpose, the students are required to submit a chapter during the semester which will be analyzed on different aspects, such as the logical development of the argument, the chapter structure within the whole thesis, paragraph structure, or footnoting. The other students will be involved as respondents.

For acquiring broader theoretical knowledge, the students will be given texts on broader theoretical perspectives within their respective field of research. These texts have to be presented and will be followed by a discussion on the topic itself.

Another aim of the course is to prepare the students for the Comprehensive Research Seminars. The preparation will be orientated mainly towards presentation techniques and PowerPoint issues. The thesis content may be addressed as well.

This course is compulsory for the first and second year LL.D. students and recommended for the third year LL.D. students. Besides, the first year LL.D. students are required to attend the Legal Writing and Research Methodology course.

Course Structure

The course will be taught every two weeks over two semesters. Each semester will be divided into three parts:

1) **A critical assessment of a thesis chapter**: Students will be asked to submit a chapter, which they have written in the previous semester. For each chapter, another student will be appointed as a respondent. The respondent has to critically read the chapter and comment on the different elements contributing to the logical structure of the chapter.

2) **Research related theoretical perspectives**: Students will be divided into groups according major theoretical themes underlying their research. Texts will be chosen in function of these major themes. All students are required to read the text in order to contribute to the discussion after the presentation.

3) **CRS preparation**: These sessions will focus on presentation techniques, PowerPoint issues, and thesis content.

Assessment

Presentations and class participation