Term | Spring 2023, Spring Quarter
---|---
Course | Elective for YLP, LL.M., JDS, BiP, JLTT
Subject Name | IT and the Law (D) (A.L.)
Course Title | Fintech & the Law
Credit | 1
Lecturer | Mark Fenwick

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.

Course Structure
The course will focus on understanding two slightly different technology-driven visions of the future of financial services – a radical vision (“Open Banking”) and a very radical vision (“Decentralized Finance” or “De-Fi”) – 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.
<table>
<thead>
<tr>
<th>Assessment</th>
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<tbody>
<tr>
<td>Students will be assessed according to the following criteria:</td>
</tr>
<tr>
<td>Class attendance / participation (30%) + a 24 hours “take home” examination (70%).</td>
</tr>
<tr>
<td>Further details on assessment will be provided in the orientation class.</td>
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</tbody>
</table>

**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 Quarter 2023

**Course**
Elective for YLP, LL.M., JDS, JLTT & BiP

**Subject Name**
Law and Society (C) (A.L.)

**Course Title**
Introduction to Japanese Law, Historical Perspective (in Japanese)

**Credit**
1

**Lecturer**
Mariko IGIMI

---

### Outline

Japan has experienced a peculiarly rapid and successful transition of legal systems in Meiji Era. What was the historical background behind the success? What are the problems left until today?

We will briefly look into Japanese Constitutional Law, Criminal Law, as well as Civil Law from the perspective of three receptions that Japan experienced in its history.

**THIS COURSE WILL BE HELD IN JAPANESE**

**<Aims>**

- to know historical backgrounds of Japanese legal system
- to have an acquaintance of an example of legal transition
- to be able to analyze contemporary legal issues in Japan

**Course Structure**

The content of this course will be the same as “Introduction to Japanese Law, Historical Perspective I” but lectured in Japanese.

All class materials will be distributed via Moodle (the online course system of the university).

**Assessment**

To be announced.

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**Linguistic Proficiency**

*Please note that for LL.M./YLP/JDS students, this class is for everyone who can command daily Japanese, i.e. who can somehow express their thoughts in Japanese.*
<table>
<thead>
<tr>
<th>Term</th>
<th>Spring Quarter 2023</th>
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<tbody>
<tr>
<td>Course</td>
<td>Compulsory for YLP LL.M. JDS JLTT LL.D. and BiP (credit)</td>
</tr>
<tr>
<td>Subject Name</td>
<td>Legal Research Methodology and Writing (C)(A.L.)</td>
</tr>
<tr>
<td>Course Title</td>
<td>Legal Research Methodology and Writing II (October entry)</td>
</tr>
<tr>
<td>Credit</td>
<td>1</td>
</tr>
<tr>
<td>Lecturer</td>
<td>Steven Van UytSEL</td>
</tr>
<tr>
<td>Office</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 main aspects covered in this course will be citation (footnotes, bibliography, avoidance of plagiarism), legal reasoning (argumentation techniques), and editing (introduction, chapter structuring, paragraphs, headings, conclusion).

Students with experience of writing a thesis can apply for a waiver. Consult the lecturer prior to the start of the course.

**Course Structure**

Lectures with Q&A on citation.

**Assessment**

Assignments re: bibliography
<table>
<thead>
<tr>
<th><strong>Term</strong></th>
<th>Spring 2023</th>
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</thead>
<tbody>
<tr>
<td><strong>Course</strong></td>
<td>Compulsory for BiP April Entry (credit)</td>
</tr>
<tr>
<td><strong>Subject Name</strong></td>
<td>Legal Research Methodology and Writing (A)(A.L.)</td>
</tr>
<tr>
<td><strong>Course Title</strong></td>
<td>Legal Research Methodology and Writing I (April Entry)</td>
</tr>
<tr>
<td><strong>Credit</strong></td>
<td>2</td>
</tr>
<tr>
<td><strong>Lecturer</strong></td>
<td>Steven Van Uytsel</td>
</tr>
<tr>
<td><strong>Office</strong></td>
<td></td>
</tr>
<tr>
<td><strong>e-mail</strong></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 seeks to facilitate the selection of the thesis topic and the formulation of the research question. Further, students will be familiarized with collecting and processing information (library, internet sources, critical reading).

**Course Structure**

Lectures and presentations

**Assessment**

Assignment: research proposal & research question
Presentation of research proposal
<table>
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<tr>
<th><strong>Term</strong></th>
<th>Summer Quarter 2023</th>
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</thead>
<tbody>
<tr>
<td><strong>Course</strong></td>
<td>Elective for YLP, LL.M., JDS, JLTT &amp; BiP</td>
</tr>
<tr>
<td><strong>Subject Name</strong></td>
<td>Corporate and Business Law (A) (A.L.)</td>
</tr>
<tr>
<td><strong>Course Title</strong></td>
<td>Comparative Corporate Law</td>
</tr>
<tr>
<td><strong>Credit</strong></td>
<td>2</td>
</tr>
<tr>
<td><strong>Lecturer</strong></td>
<td>Minoru Tokumoto</td>
</tr>
</tbody>
</table>

**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.

**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*
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 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 will study two topics surrounding platforms. One is information law issues of platforms, focusing on the free flow of information and its limitation through platforms as well as privacy and data protection of users of platforms. And the other is technological background of platforms, such as big data technologies, machine learning, cloud computing, etc.

To this end, students will be asked to make a presentation, referring to the related materials (please see below “Tentative Reading Materials”).

This course is open for the European Union Studies Diploma Programmes (EU-DPs). See more details here: http://eu.kyushu-u.ac.jp/

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 (including presentation and discussion) 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.
Medical technology has developed rapidly in the early part of the 21st Century with significant advances in the provision of health care that has revolutionized the practice of medicine, as well as clinical research.

However, whereas previous technological advances occurred slowly enough to be accommodated into existing ethical views, the speed of recent technological advances means that modern medicine has created complex ethical questions that radically challenge accepted ways of thinking. Basic concepts such as “life”, “death”, “man/woman” & “mother/father” have been problematized and new definitions and distinctions constructed and debated. Scientists, physicians, theologians, & philosophers have become involved in debates on the ethical dilemmas raised by new technologies in medicine.

The recent pandemic has merely added an extra layer of complexity to these discussions.

Moreover, new technologies have challenged existing laws and raised new legal questions that were previously unimaginable or unlikely ever to come before courts. And yet, although there is an obvious need for a regulatory response to recent scientific developments, it is increasingly difficult in pluralistic societies for policy makers to formulate a morally justifiable legal regime that accommodates the diverse range of moral perspectives found within civil society.

This course aims to provide students with the analytic resources to negotiate this complex field by examining some key debates in the field of medical law, as well as exploring the associated moral and philosophical debate that surrounds recent advances in medical knowledge and technology.
Course Structure

Bioethics is a broad inter-disciplinary field that engages with many topics that raise interesting & important legal issues. The approach of this course will be to focus selectively on various contemporary & controversial issues in medical law that raise fundamental issues of life, death & human rights. The following is an indicative list of topics to be discussed:

- The beginning of life & IVF
- Transsexual identities and the law
- Transplants and cyborg identities
- Death
- Sensors, the Wellness industry, & Personal Data
- Biometric Control

A final list of topics will be confirmed in the orientation class. In addition, there will be an exam preparation class in the final week of the semester.

Assessment

Students will be assessed according to the following criteria:

Class attendance / participation (30%) + 24 hours take home examination (70%).

Further details on assessment will be provided in the orientation class.

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>
<thead>
<tr>
<th><strong>Term</strong></th>
<th>Summer Quarter 2023</th>
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</thead>
<tbody>
<tr>
<td><strong>Course</strong></td>
<td>Elective for YLP, LL.M., JDS, JLTT, BiP</td>
</tr>
<tr>
<td><strong>Subject Name</strong></td>
<td>Intellectual Property and Innovation (C) (A.L.)</td>
</tr>
<tr>
<td><strong>Course Title</strong></td>
<td>Creative Economy and Cultural Diversity</td>
</tr>
<tr>
<td><strong>Credit</strong></td>
<td>1</td>
</tr>
<tr>
<td><strong>Lecturer</strong></td>
<td>Prof. Ryu KOJIMA</td>
</tr>
</tbody>
</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**

**Reading Materials (subject to change):**

I. Direct support for artists and cultural professionals
II. Support for sectors of the cultural and creative industries
III. Strengthening the competitiveness of the cultural and creative industries

Executive summary
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

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 course requires sufficient English proficiency equivalent to about 92 pts. (Internet-based) in TOEFL.
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.

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

*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 focuses on plagiarism. Plagiarism exists when students copy text, data, figures, ideas of other people without giving appropriate reference. Whether the taking of text, data, etc. is inadvertent is not important for constituting a plagiarism infringement.

In order to prevent students from submitting a thesis that contains sections or sentences that are plagiarized, a final draft of the thesis is submitted to iThenticate. iThenticate is a software that detects plagiarism. The submitted drafts will be checked and plagiarism will be identified.

Student’s whose draft contains plagiarism will be contacted. Students will receive guidance on how to rectify the plagiarized parts either in class form, in an individual guidance session, or through email.

### Course Structure

The course will be conducted in class form, individual sessions, or e-learning.

### Assessment

iThenticate check of thesis draft
<table>
<thead>
<tr>
<th><strong>Term</strong></th>
<th>Fall 2022, Spring 2023</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Course</strong></td>
<td>Compulsory for recipients of Risk Society LL.M.</td>
</tr>
<tr>
<td><strong>Subject Name</strong></td>
<td>Legal Research Methodology and Writing (D)(A.L.)</td>
</tr>
<tr>
<td><strong>Course Title</strong></td>
<td>Research Workshop on Risk Society &amp; the Law</td>
</tr>
<tr>
<td><strong>Credit</strong></td>
<td>1 Credit for Fall + 1 Credit for Spring Semester</td>
</tr>
<tr>
<td><strong>Lecturer</strong></td>
<td>Mark Fenwick &amp; Steven Van Uytsel</td>
</tr>
</tbody>
</table>

**Outline**

In December 2021, Kyushu University’s LL.M. and LL.D. programs were selected as recipients of Japanese government scholarships. Seven scholarships are now available each year for the LL.M program and one scholarship per year for the LL.D.

The theme of the accepted proposal to the Japanese government was law in a “risk society.” A risk society is characterized by fast-paced technological innovation, social disruption, and normative uncertainty.

This class – the Research Workshop on Risk Society & the Law – is one of the required courses offered within the framework of this program. The class is designed to help students in their thesis preparation.

**Please note that the credit for this class cannot be counted towards the 20 coursework credits necessary for graduation.**

This class is conceptualized as part of the 10 thesis credits.

Please take care when calculating your coursework credits.
Course Structure

This course is split into four parts spread over the academic year. Completion of all parts is necessary to receive the 2 credits:

1. Please attend the first four sessions of the Legal Research Methodology & Writing Course taught by Prof. Van Uytsel in Quarter 1. These sessions will help students in project design and the preparation of a thesis proposal.

   The first session is on **October 13, at 13:00**.

2. An additional 3-4 sessions will be organized in Quarter 2 on Friday afternoons taught by Prof. Fenwick. The exact schedule will be confirmed at a later date. At these sessions, students are expected to make a 20-minute presentation of their thesis plan.

3. In the Spring semester, please attend the first four sessions of the Legal Research Methodology & Writing Course taught by Prof. Van Uytsel in Spring Quarter. The first session is on **April 6**.

4. Students should attend Legal Research Methodology & Writing III offered in the Summer Quarter (i.e., the second half of the Spring Semester 2023). This course comprises the anti-plagiarism check and is a requirement for the submission of the thesis.

5. 3-4 additional sessions will be organized in Spring Quarter. Further details will be provided at a later date.

Assessment

Students will be graded based on their in-class performance, thesis proposal and in-class presentation of their thesis plan.

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 will meet the increasing demands of students from various jurisdictions for up-to-date and practical knowledge of legal practice.

The course anticipates that, through learning the up-to-date Japanese practice of business laws and regulations, students will develop the capability to:

- adapt Japanese regulations and practice to their respective home countries with necessary changes;
- develop their own legal practices that fit the social and economic conditions of their respective home countries; and
- play a substantial role in the international discussion to establish de jure and/or de facto standards applicable to the social implementation of cutting-edge technologies.

Practicing lawyers will be invited to give lectures on their areas of expertise. The themes include the following list, which may be updated:

- Bankruptcy;
- Antimonopoly Law;
- In-house Counsel;
- Economic Security;
- Fud Raising;
- Risk Management;
- Private Equity Investment;
- Disclosure;
- Crypto-assets; and
- Tax

* Note that legal practices are often related to international transactions between Japan and E.U., U.S., Asian and any other countries.

Course Website
  - https://moodle.s.kyushu-u.ac.jp

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/
Term: 2023 Spring and Summer Quarters
Course: Elective for LL.M. YLP BiP JDS JDS LLT
Subject Name: Intellectual Property and the Law (B) (A.L.)
Course Title: Legal Practice from a Social Network Perspective

<table>
<thead>
<tr>
<th>Class</th>
<th>Date</th>
<th>Time</th>
</tr>
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<tbody>
<tr>
<td>1</td>
<td>Sat., April 8th</td>
<td>14:50-16:20 and 16:40-18:10</td>
</tr>
<tr>
<td>2</td>
<td>Sat., April 15th</td>
<td>14:50-16:20 and 16:40-18:10</td>
</tr>
<tr>
<td>3</td>
<td>Sat., May 6th</td>
<td>14:50-16:20 and 16:40-18:10</td>
</tr>
<tr>
<td>4</td>
<td>Sat., May 20th</td>
<td>16:40-18:10</td>
</tr>
<tr>
<td>5</td>
<td>Sat., May 27th</td>
<td>14:50-16:20 and 16:40-18:10</td>
</tr>
<tr>
<td>6</td>
<td>Sat., June 3rd</td>
<td>14:50-16:20 and 16:40-18:10</td>
</tr>
<tr>
<td>7</td>
<td>Sat., June 24th</td>
<td>16:40-18:10</td>
</tr>
<tr>
<td>8</td>
<td>Sat., July 15th</td>
<td>14:50-16:20 and 16:40-18:10</td>
</tr>
</tbody>
</table>

*This schedule is subject to change.

Room: E-109, 1F East Zone 2
* Get approval from the lecturer beforehand or immediately after class for absences, late arrivals, and online attendance.

Credit: 2
Lecturer: Prof. Shinto Teramoto
e-mail: teramoto.shinto.717@m.kyushu-u.ac.jp

Outline

This course, provided by Prof. Shinto Teramoto, having experience as a practitioner, will introduce a social network perspective to learn and practice intellectual property and other business laws often employed in the course of legal practice.

While the relationship between a plaintiff and a defendant, an obligee and an obligor, etc. is deemed as dyadic, practitioners are often expected to observe and describe the background social network, which is a complex combination of multiple triads, to solve legal problems.

Although most of the topics are picked up from contemporary Japanese issues and cases, they are also applicable in other jurisdictions.

Course Website
- https://moodle.s.kyushu-u.ac.jp

Course Structure

The topics covered in this course are intended to include the following, subject to updates or changes:

1. The basics of social network analysis
2. Socio matrix
3. The social network to which performance rights apply
4. The social network of karaoke
5. The right to transmit to the public
6. Betweenness centrality
7. A heterogeneous network and a homogeneous network
8. Preventing distribution of unauthorized reproductions of works
9. Preventing members of the public from downloading unauthorized reproductions of copyrighted works
10. Building a complete graph using the interconnection of telecom services
11. The role of trademarks in a social network
12. Trademarks having high indegree centrality
13. A firewall

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/)
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.

Course Structure
Further details, and a reading list, will be given in the first session on Monday 3rd April. It is expected that students intending to take the course will attend this first session.

[RECOMMENDED READING]

Assessment

Class Attendance: 30%

General Participation: 30%

Presentation Projects: 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.
**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
<table>
<thead>
<tr>
<th>Term</th>
<th>Spring 2023</th>
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<tbody>
<tr>
<td>Course</td>
<td>Compulsory for JDS</td>
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<tr>
<td>Subject Name</td>
<td>Law and Development (C) (A.L.)</td>
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<tr>
<td>Course Title</td>
<td>JDS Forum</td>
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<tr>
<td>Credit</td>
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<tr>
<td>Lecturer</td>
<td>Steven Van Uytssel</td>
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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.

**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.*
Term | Spring 2023
--- | ---
Course Title | World Trade Law (LL.M./YLP/BiP/JDS/JLTT)
Credit | 2
Lecturer | ARAKI Ichiro
Office | e-mail araki@ynu.ac.jp

Outline
The objective of this course is to introduce basic rules of international economic law as practiced in the World Trade Organization (WTO). The WTO is now under fire mainly because of the United States’ move away from multilateralism, but the basic elements of its legal rules are still intact. The course will roughly follow the teaching material prepared by Joseph Weiler et al. It is a little dated but I will try to update the information as much as I can. The whole material is available from https://jeanmonnetprogram.org/resources/the-law-of-the-world-trade-organization-through-the-cases/teaching-materials/.

Course Structure
1. Introduction
2. “Grammar and Syntax” of International Trade
3. Modern History of Trade Liberalization
4. Basic Rules of the WTO
5. Rules of Origin and Customs Tariff Law
6. MFN Principle
7. National Treatment
8. General Exceptions
9. Security Exceptions
10. Technical Barriers to Trade
11. Sanitary and Phytosanitary Measures
12. Intellectual Property Rights
13. Services and Dispute Settlement
14. Trade Remedies
15. Conclusion and final exam

Assessment
Students will be assessed on the basis of class participation (30%) and final “open book” multiple-choice examination.

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 class will deal with the conundrum legal scholarship is facing when it has to deal with algorithms/artificial intelligence (AI). The evolution of AI has been proven hard to predict. The only thing what is certain is that it will progress. If predictions are hard to make, it is also hard to assess what the risks are related to AI. Without knowing the risks, legislators have no objective basis to design a proper legal framework. Due to the uncertainty, the legislator may rely on the precautionary principle and do nothing. When the legislator realizes that he must intervene, society may have embraced the new technology and not accept regulatory intervention anymore. Early intervention may have the opposite effect and freeze innovation.

Autonomous vehicles, using AI, face the above described problem. There is a presumed risk that autonomous vehicles could cause accidents. Traditionally, traffic accidents are disposed of by looking at the actions of the driver. The more vehicles get automated, the less a driver is seen as the person who should be liable for the accident. Various proposals have been made on how the liability regime should look like for autonomous vehicles. Scholars have suggested to treat the AI similar to dogs, as a chattel under liability law, and thus making the owner liable. Subtler is the literature that argues that the liability of the one who put the AI to operate with human should not necessarily be liable, if he has taken reasonable care when making the AI available. In line with this is the literature suggesting regulating accidents by design and develop so-called crash optimization algorithms. An example of this is the ‘trolley problem’, in which AI is put in a situation to weigh the dead of one against the dead of five people. Another scholar has suggested to make the state liable. Yet, this literature may be focused on the wrong premises to formulate public policy.

Research on adversarial machine learning, thus situated outside the legal discourse, is pointing in a different direction. The danger of autonomous vehicles may not be the trolley type problems, but the potential of the AI to be misled. Literature on adversarial machine learning shows that AI can be misled by slight changes in the environment it operates. The often-cited example in this regard is how visual recognition software can be misled by slight alterations in the picture. More recent adversarial machine learning literature extended these findings to changes on traffic signs. Graffiti or stickers, for example, could result in AI to recognize a stop sign as a speed limitation sign. Besides popular statements, like autonomous vehicles are easily to be fooled, no serious legal research has been undertaken on the impact of the findings of the adversarial machine learning literature.

Against this background, the course seeks to provide an understanding of the problems to conceptualize a legal framework regulating autonomous vehicles.
## Course Structure

The course will be divided into five parts:

1. **Prof. Danilo V. Vargas**
   - Introduction to algorithms
   - Introduction to adversarial attacks on algorithms

2. **Prof. Steven Van Uytsel**
   - Autonomous vehicles and adversarial attacks on algorithms
   - Overview of liability in the light of adversarial attacks

3. **Student Presentation (provisional)**
   - Presentation on liability for autonomous vehicles based on hypothetical cases

4. **Factory visit (provisional)**
   - Toyota Miyata Plant
   - Yaskawa Denki (Robot Factory)

## Assessment

Presentations and class participation
Term: Spring 2023
Course: Elective for YLP, LL.M., JDS, JLTT & BiP
Subject Name: Law and Contemporary Problems (B) (A.L.)
Course Title: Introduction to EU Technology Law
Credit: 1
Lecturer: Van Uytsel / Blockx

Outline
This course provides an overview of how digital technologies have transformed the economy and how regulation has responded to this. The course starts with a brief introduction of the advent of digital technologies and of the impact they have had on the economy. It then covers key legislative initiatives (mainly by the European Union) to foster the use of these digital technologies by businesses but also to tackle disfunctions resulting therefrom. These include the overall legal framework for digital services, rules protecting consumers online, platform regulation, regulation of digital competitiveness, and an introduction to (upcoming) rules on smart contracts and artificial intelligence.

Course Structure

Assessment
TBA

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.
**Term**  
Spring 2023

**Course**  
Elective for YLP, LL.M., JDS, JLTT & BiP

**Subject Name**  
Law and Contemporary Problem (C) (A.L.)

**Course Title**  
Risk Management and the Law

**Credit**  
1

**Lecturer**  
Steven Van Uytsel et al.

**Office**  
uytsel@law.kyushu-u.ac.jp

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**Outline**

This course brings together several practitioners discussing how they deal with risks in their respective field. All except two speakers are alumni of our LL.M. program.

**Abigail Hope Serrano** (SCG Legal Counsel Limited – Senior Manager): The Role of Board Effectiveness in Mitigating Corporate Legal Risk

**Johan Thorrel** (sThree - Corporate Compliance Lawyer, Compliance & Risk Framework Architect, Data Privacy Officer): Risk management

**Ceren Kartari** (Meta – Associate General Counsel): Meta’s central governance processes with regard to privacy risk (third party data sharing) Meta’s central governance processes with regard to privacy risk (third party data sharing)

**Jason Taylor** (Bahrein Petroleum Company – Deputy General Counsel): Energy Sector under taking a Legal Transformation Project in the energy sector: mapping legal risks from a department / business perspective

**Pieter Siebens** (MUFG – Conducting Officer Compliance): Money laundry and legal risks for the banking sector

**Emrah Tan** (Fragomen- Workflow Design Manager): Risks in relation to technology providing legal services

**Phillip Armstrong** (JAPAC Privacy - Senior Director Privacy & former Senior Attorney of Microsoft): TBA

**James Kwan** (VentureCrowd – In house counsel): Risk models applied within financial services/venture capital

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**Course Structure**

The course will be held online. The schedule of the talks will be announced on Moodle. So will be the Zoom link and reading materials.

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**Assessment**

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<td>Subject Name</td>
<td>Law and Regulation (A) (A.L.)</td>
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<td>Course Title</td>
<td>Big Tech and Competition Law</td>
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<tr>
<td>Lecturer</td>
<td>Simon Vande Walle</td>
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</tbody>
</table>

### Outline

#### Course Structure

**Big Tech and Competition Law**

Google, Amazon, Facebook, Apple and Microsoft play an important role in the digital economy and in our daily lives. Probably you are reading this text via a product or service offered by one of these companies! How convenient. But the rapid growth and market power of these companies has also raised concerns. Have these companies become digital monopolies that threaten competition? Have they abused their market power to exclude smaller competitors? Have they engaged in “killer acquisitions”?

This course will examine how competition law has dealt with these questions. No prior knowledge of competition law is required. The course will first cover the fundamentals of competition law (known in Japan and China as antimonopoly law, and in the United States as antitrust law). Next, we will discuss the various cases that have been brought against Big Tech. What has the impact of these cases been? Why are competition authorities criticized for "doing too little, too late"?

Since no prior knowledge of competition law is required, we will spend the first few classes exploring the core rules of competition law. Students will become familiar with concepts such as market power, dominance, market definition, cartels, horizontal agreements and various types of mergers.

Next, we will discuss the various cases that have been brought against Big Tech by competition authorities or private plaintiffs. Students will be asked to pick a specific case and make a presentation about it, which will then be discussed by the entire group. The focus of the class is on the EU, the United States and Japan, but cases in other jurisdictions can also be discussed.

### Assessment

Class participation + 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.*
In today’s digital age, cybersecurity is more important than ever before. Cyber threats such as hacking, phishing, malware, and ransomware are becoming increasingly common and sophisticated, posing a significant risk to organizations and individuals alike. Cyber-attacks can result in the theft of sensitive data, financial losses, damage to reputation, and even the disruption of critical infrastructure. With the rise of remote work and increased reliance on digital systems, cybersecurity has become a top priority for businesses and governments worldwide. It is essential that organizations take proactive measures to safeguard their systems, educate their employees about cyber threats, and stay up to date on the latest cybersecurity trends, regulations, and best practices.

The Cybersecurity Hackathon provides a unique opportunity for students to come together and address these pressing issues, making our digital world a safer place for all.

Course Structure
Students will work in groups in a hackathon-style setting. During the first class, students will be introduced to their corporate client and their cybersecurity problems.

“A hackathon is a competition where teams come together to collaborate, build, and propose innovations aimed at solving a particular problem. They usually work in small groups over a couple of days. Students will work in teams. The goal is to come up with a prototype, proposal, or solution at the end of the hackathon to present in front of a panel of judges.”

Assessment
Students will be graded based on the final presentations of their solutions.

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>Subject Name</strong></td>
<td>Transnational Public Law (C) (A.L.)</td>
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<tr>
<td><strong>Course Title</strong></td>
<td>International Criminal Law</td>
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<tr>
<td><strong>Lecturer</strong></td>
<td>Ozaki</td>
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**Outline**

This course deals with international criminal law (ICL) and its application in Japan, focusing on the specific features of the Japanese perspectives. The course starts with a brief description of the definition and characteristics of ICL. It then proceeds on to the two basic sets of rules of ICL, namely, criminal jurisdiction and international cooperation in criminal matters (extradition and mutual legal assistance). Specific international crimes will be discussed, such as drug offenses, transnational organized crime, money laundering, and terrorism, together with related Japanese legislation. The latter half of this course will be devoted to core crimes (genocide, crimes against humanity, war crimes and crime of aggression) and the responses of the international community to those crimes. This covers the history of international criminal tribunals including the Tokyo Tribunal. The International Criminal Court (ICC) and crimes under its jurisdiction will be considered along with the Japanese response.

**Course Structure**

1. Overview
2-3. Jurisdiction and international cooperation in criminal matters. Organized crime, terrorism and money laundering
4-6. Core crimes and the history of international criminal tribunals
7. Wrap-up

**Assessment**

Term Paper (50%), Attendance (30%), Class participation (20%)

**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.*