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Outline

The emergence and development of global business activities and the inception of the Internet brings about many problems related to cross-border enforcement of IP rights. These issues have attracted much attention from lawyers within the fields of both private international law and IP law.

During the last few decades courts in different countries faced disputes concerning cross-border enforcement of IP rights. However, in most cases courts took strict territorial approach to IP rights. As a result, holders of IP rights must seek the protection of IP rights on a country-by-country basis despite the fact that the IP market is global. In practice, the adjudication of IP disputes is very costly and inefficient. Therefore, a number of proposals have been suggested in order to facilitate the enforcement of IP rights.

The aim of this course is to investigate the existing legal framework concerning the adjudication of multi-state IP disputes. The following questions will be discussed: Which court can decide a dispute over IP rights? Which law should be applied? When can a foreign judgment concerning IP rights be recognised? During the course, the most recent court decisions and legislative developments in common-law countries, EU and Asian countries will be discussed. Existing legal problems related to the cross-border enforcement of IP rights will be analysed from the angle of institutional capacities and efficiency considerations.

Literature
- The CLIP Principles and Commentary (Oxford, Oxford University Press, 2013);
- Ubertazzi, Exclusive Jurisdiction in Intellectual Property Law (Tübingen, Mohr Siebeck, 2012)
- Basedow/Drexel/Kur/Metzer (eds), Intellectual Property in the Conflict of Laws, (Mohr Siebeck, 2005)
- Franzosi, ‘Torpedoes are here to stay’ (2002) 3(2) IIC 154

(Further reading materials will be provided in the class)
Course Structure

- Introduction
  - International Jurisdiction
- General grounds of jurisdiction
- Subject-matter/exclusive jurisdiction; justiciability
- Jurisdiction over IP infringement claims
- Jurisdiction to grant provisional and protective measures
- Jurisdiction over IP contracts and choice of court agreements
- Parallel proceedings and consolidation of claims against multiple defendants

  Applicable Law
  - Territoriality, Lex Protectionis and Applicable Law to Initial Ownership
  - Applicable Law to Infringement of IPRs; liability of secondary infringers
  - Applicable aw to Contracts for the Exploitation of IPRs

  - Recognition and enforcement
  - Arbitration of IP disputes
  - Custom measures, goods in transit, parallel import

- Final Exam

Assessment

Assessment will be based on the class participation (30%) and a written exam (70%). Written exam will consist of a case study and several open questions.

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 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.

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) Quiz: One small quiz-type test will be given in the class in order to check understanding of basic concepts.

3) Class participation

English Proficiency

*Please note that for non-IEBL/YLP/BiP/JDS students, this class is for everyone who can command daily English, i.e. who can somehow express their thoughts in English.
Term | Spring 2018 Quarter 3
---|---
Course | Elective for IEBL YLP BiP JDS
Subject Name | Intellectual Property and the Law (B) (A.L.)
Course Title | Japanese Intellectual Property Law Practice
Credit | 2
Lecturer | Prof. Shinto Teramoto
e-mail | jshin768@gmail.com

<Provisional>

Outline

The course provides an outline of the intellectual property laws of Japan, especially focusing on the major topics of patent and copyright, while giving insights to the harmonization of the intellectual property practice in Japan, EU, U.S. and other jurisdictions.

This course will provide students with an understanding of the basic concepts and philosophy behind the black letter laws and practices.

Through class discussion, students will gain an insight into the basic policies of intellectual property laws that are common to Japan and other countries, as well as those concepts that are unique to Japan.

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. The structure of intellectual property laws.
2. Who should be given the rights?
3. Patentability.
5. Patent examination, trial, etc.
7. Copyright infringement.
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.

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/)
The emergence and development of global business activities and the inception of the Internet brings about many problems related to cross-border enforcement of IP rights. These issues have attracted much attention from lawyers within the fields of both private international law and IP law.

During the last few decades courts in different countries faced disputes concerning cross-border enforcement of IP rights. However, in most cases courts took strict territorial approach to IP rights. As a result, holders of IP rights must seek the protection of IP rights on a country-by-country basis despite the fact that the IP market is global. In practice, the adjudication of IP disputes is very costly and inefficient. Therefore, a number of proposals have been suggested in order to facilitate the enforcement of IP rights.

The aim of this course is to investigate the existing legal framework concerning the adjudication of multi-state IP disputes. The following questions will be discussed: Which court can decide a dispute over IP rights? Which law should be applied? When can a foreign judgment concerning IP rights be recognised? During the course, the most recent court decisions and legislative developments in common-law countries, EU and Asian countries will be discussed. Existing legal problems related to the cross-border enforcement of IP rights will be analysed from the angle of institutional capacities and efficiency considerations.

**Literature**

- *The CLIP Principles and Commentary* (Oxford, Oxford University Press, 2013);
- Franzosi, ‘Torpedoes are here to stay’ (2002) 3(2) *IIC* 154

(Further reading materials will be provided in the class)
**Course Structure**

- Introduction
  - International Jurisdiction
- General grounds of jurisdiction
- Subject-matter/exclusive jurisdiction; justiciability
- Jurisdiction over IP infringement claims
- Jurisdiction to grant provisional and protective measures
- Jurisdiction over IP contracts and choice of court agreements
- Parallel proceedings and consolidation of claims against multiple defendants

  **Applicable Law**
  - Territoriality, Lex Protectionis and Applicable Law to Initial Ownership
  - Applicable Law to Infringement of IPRs; liability of secondary infringers
  - Applicable aw to Contracts for the Exploitation of IPRs
  - Recognition and enforcement
  - Arbitration of IP disputes
  - Custom measures, goods in transit, parallel import

- Final Exam

**Assessment**

Assessment will be based on the class participation (30%) and a written exam (70%). Written exam will consist of a case study and several open questions.

**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 2018  
Course | YLP/IEBL/JDS/ILTC/BiP  
Subject Name | Law and Regulation (A) (A.L.)  
Course Title | Contemporary Issues in Competition Law  
Credit | 2  
Lecturer | Steven Van Uytsel  
Office | 21st century plaza 1F  
e-mail | uytsel@law.kyushu-u.ac.jp  

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.

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
Closed book exam. The exam will be divided into two parts: 30 minute multiple choice exam and a 60 minute written exam (100% - based upon the course materials and explanations in 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.
Term | Fall 2018 Quarter 1  
Course | Elective for YLP, IEBL, JDS, BiP  
Subject Name | Law and Regulation (B) (A.L.)  
Course Title | White Collar & Corporate Crime  
Credit | 2  
Lecturer | Mark Fenwick

**Outline**

Public perceptions of crime are no longer dominated by images of an urban underclass and so-called “street crime”, but increasingly involve the illegal activities of “white collar” workers, notably senior corporate executives and other managers. The collapse of Enron in 2001, for example, provided a compelling narrative of managerial greed that captured global public attention and came to symbolize the problem of corporate crime in the United States. Similar high profile corporate scandals have occurred in many other countries, for example, the Livedoor case in Japan, the Lee Ming Tee case in Hong Kong, and the Vodafone-Mannesmann affair in Germany. The recent global financial crisis has further exacerbated concerns about the scale of this problem.

Such scandals have prompted policy makers around the world into a systematic re-evaluation of crime control strategies that has resulted in extensive amendments to criminal laws concerned with the organization, financing, and regulation of corporations and their business related activities.

In spite of these regulatory reforms, however, many questions remain unanswered about what constitutes an appropriate response to “white collar” and corporate wrongdoing. Many critics continue to question the expanded role of the criminal law in this area and have suggested that the deterrent effects of criminal sanctions have been greatly exaggerated. Moreover, genuine difficulties remain in prosecuting highly motivated and well-resourced white collar and corporate defendants.

This course will highlight some of the difficulties in regulating corporate wrong doing by examining selected issues from white collar & corporate criminal law. The class will adopt a theoretical and comparative approach to the issue, with a particular focus on recent high profile cases in the US & Japan.

No textbook will be used for this class.

Course materials will be uploaded on the program website.
## Course Structure

The following topics will be examined in this course:

1. ‘Corporate’ Criminal Liability
2. Whistleblowing Law
3. Internal Investigations & ‘Corporate’ Attorney-Client Privilege
4. Diversion I: Deferred Prosecution Agreements
5. Diversion II: Consent Decrees
6. Transnational Corporate Corruption Law
7. Fraud I: From “Classic” to “Honest Services” Fraud
8. Fraud II: Insider Trading, Hedge Funds & “Investment Edge”
10. Punishing Corporate Crime

## Assessment

Students will be assessed according to the following criteria:

Class participation (20%) + an “in-class” examination (80%).

### 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 | Fall 2018 Quarter 1  
Course | Elective for IEBL YLP BiP JDS  
Subject Name | Transnational Business Law (B) (A.L.)  
Course Title | Transnational Commercial Law and Foreign Investment Law  
Credit | 2  
Lecturer | Caslav Pejovic

Outline

The course is designed to introduce law students to a wide range of problems involving international business transactions. The course will focus on the international regulation and comparative law analyses of the most significant topics of international business transactions. The course will examine the way the law and practice deal with all these issues, including the efforts aimed at the unification and harmonization of international trade law.

In the first part, the course will focus on the international trade. The international sale of goods is the central part of the international trade, and the course will cover several topics which are related to the international sale of goods. The examination of the international sale of goods will deal, inter alia, with the following: formation and performance of the contract of sale; some special forms of export contracts; standardization of international trade terms; the international carriage of goods; insurance; payment and financing of the transaction.

In the second part the course will deal with foreign investments, their legal regulation and various ways of conducting business in a foreign jurisdiction. The examination of foreign investment will include a discussion of the following: the types of foreign investment; reasons for FI; incentives for FI; joint ventures; project financing; transfer of technology.

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, 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.*
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 historical perspective.

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.

Assessment

To be announced.

Linguistic Proficiency

*Please note that for IEBL/YLP/JDS students, this class is for everyone who can command daily Japanese, i.e. who can somehow express their thoughts in Japanese.
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 historical perspective.

THIS COURSE WILL BE HELD IN English.

<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 English.

Assessment

To be announced.
Outline

1. This course is to provide an overview of the field of international commercial arbitration and the knowledge and skills that are fundamental to understand international commercial arbitration legal regime and procedures.

2. On these bases, the course attendees will examine New York Convention (1958), UNCITRAL Model Law (1985, amended in 2006), UNCITRAL Arbitration Rules (as revised in 2010) and UNIDROIT Principles of International Commercial Contracts (2010) and learn how to conduct international arbitration proceedings to resolve cross-border commercial disputes.

3. To help the course attendees to get more practical knowledge on international commercial arbitration, we will use the problem of the 17th Intercollegiate Negotiation Competition (INC) as reference material. (http://www.negocom.jp/eng/)

4. During this course, we will also learn (i) how to draft an arbitration clause in a contract, (ii) Jurisdictional issues in international disputes, (iii) the appointment of arbitrators, (iv) documents production (discovery) in international arbitration, (v) witness statements and expert statements, (vi) how hearings will be conducted, and (vii) arbitral awards and the enforcement of awards.

5. The course will mainly follow the pattern of lectures. The course attendees are encouraged to be interactive during the classes and will be required to read and digest the problem of INC to prepare role plays as attorneys.

6. No textbook will be used for this class and recommended books and course materials will be informed in due course.

Assessment

Participants will be assessed based on the following performance:

(i) Class participation and role play (50%)
(ii) A “take home” examination (50%)

Course Structure

The course will be conducted in accordance with the following schedule:

Every Tuesday from 14:50-16:20
Every Friday from 10:30-12:00
(10/2, 5, 9, 12, 16, 19 and 23)
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.

Lecturer’s Profile
- Practicing lawyer, International arbitration team at a Singaporean law firm
- Former Counsel, Head of North East Asia, Singapore International Arbitration Centre, Singapore
- Arbitrator, FDI Moot Competition Asia Pacific Regional Rounds in 2014, 2015, 2016 and 2018
- Former Special Counsel, International Dispute Resolution Group, Bae, Kim & Lee LLC, Seoul, Korea
- Fellow, Singapore Institute of Arbitrators, Singapore
- Fellow (ADR), Eisenhower Fellow, Northeast Asian Regional Program, USA
Outline

1. This course is to prepare the 17th of Intercollegiate Negotiation Competition (INC) which will be held on 1 and 2 December 2018 at Sophia University in Tokyo. (http://www.negocom.jp/eng/)

2. The course is designed to coach 2 international teams consisting of 4-5 participants respectively which will represent Kyushu University this year. Those who are not participating the ICN moot competition in 2018 also can enroll this course too.

3. The competition shall take place in two rounds as follows:
   (i) Round A (arbitration): all members act as attorneys of the Company in the Problem of INC
   (ii) Round B (Negotiation): each member acts in a registered role, with the various roles as specified in the Problem of INC.

4. The course attendees are required to digest the problem of the 17th of INC and analyze the legal issues. The course attendees need to prepare preliminary memorandum for Round A and Round B & Round A Response. Role playing representing each side will be conducted to develop legal arguments.

5. On a separate note, to participate the INC competition in Tokyo, a registration fee of 5,000 yen shall be borne by each participant for the INC competition. As the registration deadline is October 12 (Friday) by 15:00, those who are willing to participate the INC competition are strongly encouraged to indicate their willingness ASAP.

6. If any participant has experience in the handling of litigation, arbitration or business negotiation as a practicing attorney or business person for one year or more, the participants shall submit a paper declaring his/her name, experience and years practiced upon registration (for example, “as a lawyer/judge/in-house counsel, Mr./Ms….. was involved with litigation management/arbitration practice/business negotiation, for X number of years”).

Course Structure

The course will be conducted in accordance with the following schedule:

Tuesday from 14:50-16:20
Friday from 10:30-12:00
(10/30, 11/2, 6, 9, 13, 20, 23 (possibly make up class))
Assessment
Participants will be assessed based on the following performance:
(i) Class participation, submission of memorandum and role playing (100%)

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.

Lecturer’s Profile
- Practicing lawyer, International arbitration team at a Singaporean law firm
- Former Counsel, Head of North East Asia, Singapore International Arbitration Centre, Singapore
- Arbitrator, FDI Moot Competition Asia Pacific Regional Rounds in 2014, 2015, 2016 and 2018
- Former Special Counsel, International Dispute Resolution Group, Bae, Kim & Lee LLC, Seoul, Korea
- Fellow, Singapore Institute of Arbitrators, Singapore
- Fellow (ADR), Eisenhower Fellow, Northeast Asian Regional Program, USA
Term | Fall 2018 Quarter 1  
Course | Elective for YLP, IEBL, JDS, BiP and CSPA  
Subject Name | Seminar on Global Governance / Law & Governance (B)  
Course Title | International Relations & Global Governance  
Credit | 2  
Lecturer | Robert Lindner

Outline
This course provides students with a general introduction to the study of international relations and global governance. It is highly recommended as a foundation course for other graduate seminars dealing with major themes in world politics such as Global Environmental and Energy Governance (Fall 2018, Quarter 2). The course will first explore the historical development of the contemporary international system and the main actors and institutions shaping today’s global developments. Students will then be introduced to the main theoretical explanations for state behavior and the methodologies and levels of analysis commonly used to explain foreign policy decision-making. In the third part of the course, we will consider some of the key aspects of contemporary international relations, such as the role of institutions and non-state actors, globalization and global governance, international political economy, or the role of culture in world politics. The final part of the course will look at some of the key challenges that hinder sustainable human development and discuss potential ways to tackle these issues.

By the end of the course, students should have a basic knowledge of the theoretical concepts, major themes, and analytical tools in the study of international relations and global governance. They should also be able to better understand state behavior and the relationship between the main actors and institutions in contemporary world politics. In addition, students should be able to:

- See beyond the news headlines and appreciate the complexities behind the foreign policy decisions of states and understand how and why cooperation or conflict occurs in world politics.
- Recognize that political actors in international relations may respond to a given global challenge based on very different worldviews and values.
- Understand under what conditions multilateral cooperation can be effective and how non-state actors can influence the actions of states and international institutions.

The assignments and the structure of the sessions are designed to foster critical thinking and the ability for informed academic debate. During the entire length of the course, students are encouraged to apply the acquired theoretical knowledge to real life news events in class discussions. This course is also designed to help students craft their writing and research abilities through small assignments throughout the semester.
## Course Structure

1. Introduction and course overview
2. Historical development of the contemporary international system I
3. Historical development of the contemporary international system II

### Theoretical and Analytical Approaches

4. Core theories of International Relations
5. Alternative approaches to the study of International Relations
6. Theories and processes of globalization

### Actors, Processes and Issues of the International System

7. International organizations and non-state actors in global governance I
8. International organizations and non-state actors in global governance II
9. International political economy: Global trade, finance and development
10. Global security architecture
11. Global media, ICT & communication
12. Culture in world affairs

### Challenges to Sustainable Development

13. Global inequality and human development
14. Human security, migration and human rights
15. The dark side of globalization: Transnational terrorism and organized crime

## Course Readings

Each week has a series of 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. The texts will also form part of the final exam. 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):

Assessment

The course requirements include active class participation, a mid-term exam, two small in-class assignments, including a media report, as well as the writing of a final analytical essay. Students will be assessed according to the following criteria:

- Active class participation (20%)
- Short text presentations & research assignments (40%)
- Final exam (40%)

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 introduce students to two major and interrelated themes in contemporary world politics: the environment and energy. It is highly recommended as a supplement to *International Relations and Global Governance* (Fall 2018, Quarter 1). The course will discuss how past environmental movements and policies, as well as modern historical alliances and divisions, have shaped the approach to and implementation of how nations and international coalitions are dealing with global environmental challenges such as climate change. The course is designed as an interactive lecture series, where students are expected to actively contribute to the class discussions and to complete assignments such as a short media reports and case study presentations.

The first half of the course provides students with an overview of the actors and institutions involved in global environmental and energy governance. In the second part it will focus on several key transboundary environmental issues, such as the depletion of natural resources or the loss of biodiversity, and the specific actors and regimes associated with them. The third part of the course will discuss in detail one of the most intractable environmental problems, that of global climate change and the transformation of global energy systems. Students will be asked to examine how past policies and historical events have set the stage for current global negotiations around climate change and the regulation and mitigation of greenhouse gases. They will also learn about the complexities of climate change negotiations, including the environmental, social, and economic conditions that need to be taken into account when developing a national climate change strategy or when formulating a Nationally Determined Contribution (NDC) to comply with a global treaty.

Finally, the course will conclude by discussing potential solutions to the world’s contemporary environmental and energy challenges that are currently debated among academics and policy makers.

This course is also designed to help students craft their writing and research abilities through small assignments throughout the semester. In addition, each student will be requested to give a short presentation to update the class on what they have discovered about their assigned topic.
### Course Structure

#### Introduction
1. The making of environmental policy in the “anthropocene”
2. Historical context of multilateral environmental agreements

#### Actors and Institutions in Global Environmental & Energy Governance
3. State actors in global environmental policy making
4. International and nongovernmental organizations
5. International law and environmental regimes
6. Markets and commodities: Consumption, commodity chains, and local environments

#### Transboundary Environmental Issues and Challenges
7. Population growth and resource depletion
8. Air pollution, persistent organic pollutants, and waste
9. Global biodiversity: Genetic resources, species and ecosystems, marine protection

#### The Energy–Climate–Nexus
10. World energy outlook: Market trends and environmental impacts
11. The road to Paris: Global agreements and coalitions for climate change
12. The international climate regime: Complex multilevel governance

#### Solutions?
13. The principles of environmental justice
14. Society and culture: Barriers and bridges for action on climate change
15. “Think globally, act locally”: Community-based responses to the tragedy of the commons

### Course Readings

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

The course requirements include active class participation, a mid-term exam, two small in-class assignments, including a media report, as well as the writing of a final analytical essay. Students will be assessed according to the following criteria:

- Attendance and active class participation (10%)
- Mid-term exam (30%)
- In-class media report (20%)
- Analytical essay (40%)

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 introduce students to some basic features of the law of the European Union, focusing in particular on international trade law and the legal and economic challenges associated with the creation of a single market within the EU. The course will seek to identify the distinctive features of the European Union, as well as asking what lessons the European experience offers for regional integration in other parts of the world, particularly in the context of ASEAN and SE Asia.

The course is split into four parts. By the end of the first part of the course, students will have a solid grasp of some of the basic features of the EU institutional framework and various fundamental principles of EU Law. The second part of the course will examine in some detail EU law as it pertains to the creation of a single market. In particular, the chain of decisions of the European Court of Justice related to the free movement of goods will be examined, as they highlight the complexities associated with removing barriers to trade, as well as the innovative approach that has been adopted in an EU context. The third part of the course will focus on the issue of European monetary union and the recent “Euro Crisis”. In particular, the various legal responses to this crisis will be examined in order to highlight some of the limitations that exist within Europe. The final part of the course will examine recent efforts that the EU has made in trying to foster a local environment in which entrepreneurship and innovation can flourish, and ask whether the goal of incubating innovative eco-systems is compatible with regional organizations such as the EU.

No textbook will be used for this class. Course materials will be uploaded on the program website.

### Course Structure

The course will be split into four parts examining each of the following issues:

1. Fundamental principles of EU law
2. Free movement of goods law
3. European monetary union, the Single Currency & EU responses to the Euro Crisis
4. Innovation “eco-systems” & EU law

### Assessment

Students will be assessed according to the following criteria: Class participation (20% of final grade) + A “take home” examination (80% of final grade).

### English Proficiency

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Outline

“International law” (IL) is a rather elusive body of norms regulating the activities of “international actors”. While it has far-reaching, though invisible, effects on our everyday life, its legal nature, especially its legally binding force, has been often questioned. Is IL really law? Based on this crucial question, this course aims 1) to learn the fundamental (“classical”) concepts and theories of IL, and 2) to analyze their current situations.

Course Structure

The main issues to be discussed in this course will be; 1) the fundamental theories of the sources of IL, 2) the new (“informal”) sources of IL, 3) law-making process of IL, and 4) the relations between IL and municipal (national) law.

Through the lectures, “Japanese issues” concerning IL will also be mentioned.

Assessment

(1) General Class Participation: 30%
(2) Examination: 70%

English Proficiency

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Outline

- This course describes the methodology of discussing fundamental issues in intellectual property law from a “social network analysis” (“SNA”) perspective.
- SNA analyzes social events through (i) identifying actors, (ii) discovering relationships between actors, (iii) evaluating the nature of such relationships, (iv) establishing a social model through observing relationships, and (v) assessing this model from various perspectives.
- SNA is now a well-known and essential tool in social science. Using this tool in the field of legal studies, however, is relatively new and it is still being developed. SNA is very useful due to its capability to observe reality and then abstract and establish a social model.
- This course will provide students with the basic skills to use social network analysis to view various fundamental IP issues, and reach a clear legal solution. We will analyze and discuss fundamental intellectual property issues, specifically in the area of patent laws and copyright. While doing so, students will gain an insight into the international and domestic intellectual property debates. Through analysis, discussion and practices, students will learn the skills to deal with intellectual property cases and to conduct international negotiations in a professional manner.

Course Website

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

- The course structure may be subject to change and modification as the course progresses.
- The item number does not necessarily correspond to the course number.

1. Conduct a Social Network Analysis.
2. Tools of Social Network Analysis.
3. Find an Intermediary and its Function.
4. How to disseminate information through society.
5. The impact of IP rights.
6. How can we justify IP rights?
7. A small world network.
8. A complete graph network.
9. A cloud computing network.
10. Protect a neutral network against IP rights.
11. The impact of IP rights on diversity of players in the market.

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.

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*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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<thead>
<tr>
<th>Term</th>
<th>Fall 2018 Quarter 2</th>
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<tr>
<td>Course</td>
<td>Elective for YLP, IEBL, JDS, BiP and CSPA</td>
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<tr>
<td>Subject Name</td>
<td>Energy and Environmental Policy in Contemporary World; Law &amp; Governance (B)</td>
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<tr>
<td>Course Title</td>
<td>Global Environmental and Energy Governance</td>
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<tr>
<td>Credit</td>
<td>2</td>
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<tr>
<td>Lecturer</td>
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Term | Fall 2018 Quarter2  
Course | Elective for IEBL YLP BiP JDS  
Subject Name | Law and Culture (A) (A.L.)  
Course Title | Introduction to Roman Law and Civil Law Tradition  
Credit | 2  
Lecturer | Mariko IGIMI  

Outline

Why the legal system in some jurisdictions is called “Civil Law”? Why is our program LL.M.? What does *pactum sunt servanda* originally mean? Where does the *bona fides* come from? All these can be answered only by leaning Roman law. Whether you come from a jurisdiction of Common Law, Civil Law or Mixed Legal Systems, it is strongly recommended to look into the tradition of Civil Law not only to know the backgrounds of your own legal systems but also to relativize current legal situation.

<Aims>

・ to know historical backgrounds of Civil Law  
・ to have deeper understanding of legal maxims  
・ to be able to analyze contemporary legal issues from historical perspective  

Course Structure

Half of this course will be held in lecture style, while the other half will be held as a seminar, consisting with group presentation on legal maxims of students’ choice followed by discussion.

Assessment

To be announced.

English Proficiency

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