

Term	2019 – 2020 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
Class	Mon. 10:30-12:00 and Mon. 13:00-14:30
Room	Lecture Room, E105
Credit	2
Lecturer	Prof. Shinto Teramoto and Assoc. Prof. Ryu Kojima
e-mail	teramoto.shinto.717@m.kyushu-u.ac.jp , kojima@law.kyushu-u.ac.jp

Outline

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

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

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

Course Website

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

Course Structure

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

1. Formulating a Copyright Infringement Litigation, Part 1 - to Identify the Facts to be Claimed and Proven by the Plaintiff.
2. Formulating a Copyright Infringement Litigation, Part 2 - to Identify the Disputes between the Plaintiff and the Defendant.
3. Formulating a Copyright Infringement Litigation, Part 3 - to Persuade the Court to Conclude that the Facts Claimed by the Plaintiff Falls Within the Definition of the Requirements Provided by the Relevant Provisions of Law.
4. Formulating a Copyright Infringement Litigation, Part 4 - to Learn that Evidences Advantageous to the Plaintiff in One Issue can be Disadvantageous to the Plaintiff in Another Issue.
5. Formulating a Patent Infringement Litigation, Part 1 - to Identify the Facts to be Claimed and

- Proven by the Plaintiff, and to Identify the Disputes between the Plaintiff and the Defendant.
6. Formulating a Patent Infringement Litigation, Part 2 - to Persuade the Court to Conclude that the Facts Claimed by the Plaintiff Falls Within the Definition of the Requirements Provided by the Patent Claim.
 7. Examining the Patentability of Inventions - Novelty.
 8. Examining the Patentability of Inventions - Non-obviousness.
 9. How to Disclose Your Invention - A Patent Claim and Working Examples.
 10. How to Define the Scope of Patent Protection for Your Invention, to Draft a Patent Claim and Consider the Strengths and Limitations of Your Draft Patent Claims.
 11. Shaking Hands with Your Competitor After a Litigation - to Draft Outlined Terms and Conditions of a License Agreement and Consider the Strengths and Limitations of Your Draft Terms and Conditions of a License Agreement.
 12. Protect Your Brand.
 13. Protecting Local Products – The Function of Regional Collective Trademarks.
 14. Protecting Traditional Cultural Expressions – The Relationship between Intellectual Property Law and Customary Norms.
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Reading Materials

- To be posted on the course website from time to time.
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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/>

Term	Spring 2020 Quarter 3
Course	Elective for IEBL YLP BiP JDS
Subject Name	Transnational Business Law (B) (A.L.)
Course Title	International Maritime Law
Credit	2
Lecturer	Caslav Pejovic

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.

Term	Spring 2020 Quarter 3
Course	Elective for YLP/IEBL/JDS/BiP
Subject Name	Conflict of Laws (A) (A.L.)
Course Title	INTELLECTUAL PROPERTY AND PRIVATE INTERNATIONAL LAW
Credits	2
Lecturers	Toshiyuki Kono

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 recognized? 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);
- Kono, *Intellectual Property and Private International Law* (Hart, 2012)
- Ubertazzi, *Exclusive Jurisdiction in Intellectual Property Law* (Tübingen, Mohr Siebeck, 2012)
- Fawcett/Torremans, *Intellectual Property and Private International Law*, (OUP, 2nd ed., 2011)
- Basedow/Kono/Metzger (eds.), *Intellectual Property in the Global Arena: Jurisdiction, Applicable Law, and the Recognition of Judgments in Europe, Japan and the US*, (Tübingen, Mohr Siebeck, 2010).
- Leible/Ohly (eds.), *Intellectual Property and Private International Law*, (Mohr Siebeck, 2009)
- Nuyts (ed.), *International Intellectual Property and Information Technology*, (Kluwer, 2008)
- Drexl/Kur (eds), *Intellectual Property and Private International Law: Heading for Future*, (Hart, 2005)
- Basedow/Drexl/Kur/Metzger (eds), *Intellectual Property in the Conflict of Laws*, (Mohr Siebeck, 2005)
- Bariati (ed), *Litigating Intellectual Property Rights Disputes Cross-border: EU Regulations, ALI Principles, CLIP Project*, (Milan, CEDAM, 2010)
- The American Law Institute, *Intellectual Property: Principles Governing Jurisdiction, Choice of Law and Judgments in Transnational Disputes* (Chestnut, ALI Publishers, 2008)
- Dinwoodie, 'Developing a Private International Intellectual Property Law: The Demise of Territoriality?' (2009) 51 *William and Mary Law Review* 713-800
- Dreyfuss, 'Resolving Patent Disputes in a Global Economy' in Moufang/Takenaka (eds.), *Patent Law: A Handbook of Contemporary Research* (Edward Elgar, 2009) at 610 *et seq.*
- Franzosi, 'World-wide Patent Litigation and the Italian Torpedo' (1997) 19 *EIPR* 382
- 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 law 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 2020 (Quarter 3)
Course	YLP/IEBL/JDS/BiP
Subject Name	IP and Innovation (B) (A.L.)
Course Title	IP/IT Dispute Resolutions in International Matters
Credit	2
Lecturer	Julia Jiyeon Yu

Outline

1. From the perspective of international dispute resolution, this course will provide how IP related matters are dealt with in resolving cross border disputes.
2. Not only litigation in local courts but also alternative disputes resolutions (ADR) are increasingly chosen to resolve international IP disputes. In particular, international arbitration is one of the preferred options when it comes to IP matters involving various nationalities.
3. To arbitrate international IP disputes, the course will examine, as an introduction, (i) the overview of international arbitration as a means of international IP dispute resolution and the comparison between litigation and arbitration, (ii) types of intellectual property rights and claims that may be arbitrated, and (iii) process of arbitrating international IP disputes.
4. The course will also seek how IP claims are evolving in (i) traditional commercial international arbitration, (ii) international treaty-based investment arbitration, and (iii) new specialized arbitration regarding the licensing of standard-essential patents (SEPs) on fair, reasonable and non-discriminatory (FRAND) terms.
5. For the purpose of gaining a better understanding, 4-5 recent IP related dispute cases will be suggested for course attendees' reading and will be addressed during the course. (Provisionally, refer to the following industrial sectors – healthcare/pharmaceutical, IT/electronics, engineering/new technology, and e-commerce etc.)
6. 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 make a presentation by summarizing an IP dispute case.
7. 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 presentation (50%)
- (ii) A "take home" examination (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.

Term	Spring 2020 Quarter 3
Course	Elective for IEBL YLP BiP JDS
Subject Name	Law and Society (B) (A.L.)
Course Title	Mediation and Other Conflict Management Approaches
Credit	2
Lecturer	Associate Professor Hideaki Irie

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:
Beer, Jennifer E. & Packard, Caroline (2012) The Mediator's Handbook, 4th, New Society Publishers.
- 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-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 2020 Quarter 3
Course	Compulsory for YLP IEHL JDS LL.D. and BiP (credit)
Subject Name	Legal Research Methodology and Writing (A.L.)
Course Title	Legal Research Methodology and Writing
Credit	2
Lecturer	Steven Van Uytsel
Office	E-D-514, 5F East Zone 2
e-mail	uytsel@law.kyushu-u.ac.jp

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

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

Assessment
<p>Assignments</p>

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 2020 Quarter 3
Course	Elective for YLP, IEBL, JDS, BiP and CSPA. <i>This course is open for the European Union Studies Diploma Programmes (EU-DPs).</i>
Subject Name	Energy and Environmental Policy in Contemporary World; Law & Governance (B)
Course Title	Environmental and Energy Governance
Credit	2
Lecturer	Robert Lindner

Outline	
<p>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 <i>International Relations and Global Governance</i> (Fall 2018, Quarter 1). 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.</p>	
<p>The course will discuss how nations and international coalitions are dealing with global environmental challenges such as climate change. The first half 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 these issues.</p>	
<p>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 considered when developing a national climate change strategy or when formulating a Nationally Determined Contribution (NDC) to comply with a global treaty.</p>	

Introduction

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

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

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 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

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

- *Axelrod, R. S., & VanDeveer, S. D. (Eds.). (2014). The global environment: institutions, law, and policy. CQ Press.*
- *Caldwell, L. K., & Weiland, P. S. (1996). International environmental policy: from the twentieth to the twenty-first century. Duke University 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 (20%)
- Mid-term exam (30%)
- Media report (20%)
- Analytical essay (30%)

English Proficiency

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

Term	Spring 2020 Quarter 3
Course	Elective for <i>YLP, IEBL, JDS, BiP and CSPA</i> . This course is open for the <i>European Union Studies Diploma Programmes (EU-DPs)</i> .
Subject Name	Law & Governance (B); Democratization Studies
Course Title	Political Systems in Asia
Credit	2
Lecturer	Robert Lindner

Outline
<p>Asia is the largest and most diverse continent in the world. The region is home to a broad array of political systems, ranging from vibrant democratic states, such as Japan or South-Korea, to extremes such as North-Korea's absolutist one-party rule. This course is designed to provide students with an introduction to the basics of comparative politics and a structured overview of the region's diverse political systems. This understanding is not only crucial for political scientists, but also for any other student aiming to pursue a career in foreign policy areas, international organizations or cross-border business in Asia.</p> <p>The course is composed of two different parts. The first sessions will be held in a lecture style, in which students will be provided with basic tools and concepts used in comparative politics to classify and examine the world's political systems. Topics to be covered include the differences between democratic and authoritarian political regimes, variations in democratic political institutions, legal systems, political parties and electoral systems, as well as the role of the media and civil society.</p> <p>The second half of the course will be held in a more interactive seminar style. Guided by the concepts and analytical categories introduced in the first part, students will present and evaluate different country case studies in Asia.</p> <p>Course Readings</p> <p>No textbook will be used for this class. However, there will be required readings that have to be completed by the dates they are assigned. Students are expected to actively contribute to class discussions based on the material provided. Course materials will be uploaded on the program website or distributed in class.</p>

Assessment
<ul style="list-style-type: none"> • Participation and active class participation (20%) • Presentation (40%) □ Exam (40%)

*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.

(Tentative) syllabus for a course on: **Statistics** Data analysis and a soft introduction to Blockchain

May 26, 2019

Part 1. Descriptive Statistics (2 Weeks, 2 Lectures + 2 Labs)

- 1.1 What is "data"?
- 1.2 Fundamental concepts of descriptive statistics: mean, variance, standard deviation, covariance, correlation
- 1.3 Data representation. Scatter plot, pie chart, histogram
- 1.4 Intuitive introduction of regression analysis (regression line, R^2 value)

Part 2. Notions of probability (2 Weeks, 2 Lectures + 2 Labs)

- 2.1 Intuitive introduction to Probability (no formal theory)
- 2.2 Discrete Probability distribution (Bernoulli, Binomial, Poisson)
- 2.3 Continuous Probability distribution (Uniform, Normal, Chi, Student, Beta)
- 2.4 Power laws and the Pareto distribution

Part 3. Inferential statistics (2 Weeks, 2 Lectures + 2 Labs)

- 3.1 Population and Sample. The concept of point estimation and confidence interval
- 3.2 Fundamental concept of the Hypothesis test
- 3.3 (Regression analysis)

Part 4. Blockchain and smart contracts (1 Week, 1 Lecture + 1 Lab)

- 4.1 Distributed Ledgers
- 4.2 The Bitcoin paper
- 4.3 Smart contracts and tokenization
- 4.4 An example of the deployment of a smart contract on the Ethereum Blockchain

Term	Spring 2020, Quarter 4
Course	Elective for YLP, LL.M., JDS, BiP
Subject Name	IT & the Law
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. This class will provide an introduction to Fintech and the various technologies driving this change, as well as examining various legal issues related to these developments.

Course Structure

The course will be split into three parts examining the different aspects of Fintech-related disruption.

First, emerging technologies have allowed incumbent financial service providers to offer a range of new services that remove intermediaries and administrative layers to make transactions more effective. In this way, financial services are “decentralized.” Most obviously, there is the growth of mobile banking that allows customers to perform a wide range of transactions online. Networked access to financial services facilitates quicker access to all manner of transactions from checking financial status, making payments, and withdrawing and transferring funds. “Behind the scenes” activities of financial institutions are similarly transformed. In part, this involves the use of Big Data to deliver a more efficient service, but it also allows firms to use technology to manage legal risk more effectively. The fallout from the 2008 Financial Crisis resulted in vast swaths of new banking regulation. One consequence has been the increased use of technology to help banks comply with the new regulatory requirements.

Second, FinTech has facilitated the emergence of startups and other “non-financial” companies that offer an alternative source of financial services. In particular, “app-based” companies are emerging everywhere. These startups challenge and disrupt incumbents, such as traditional banks, by supporting a wide range of financial services, including marketplace lending platforms, equity crowdfunding platforms, insurance services, algorithm-driven “Robo-advisors” offering smarter more personalized financial advice and blockchain-based crypto-currency and payment systems.

Finally, FinTech leverages technology to improve the quality of, and access to, financial services for individuals or social groups that have traditionally been excluded from such opportunities, in particular in emerging economies. Driving this change is the global proliferation in smartphones. Smartphone penetration is expanding quickly around the world, with 6.1 billion smartphones expected to be in use by 2020. Several startups are already leveraging that reach and providing access to credit in markets in Africa, South America, and South-East Asia. The range of such services is rapidly expanding. Examples include providing an easier way to maintain land rights data which can then serve as collateral for accessing credit or verifying identities, which is often a challenging and prohibitive requirement for accessing both financial and non-financial services. The emergence of hugely successful platforms offering multiple services, including financial services in Indonesia (*GoJek*) illustrate the possibilities. The emergence (and success) of such firms shows how economies might employ digital technologies as a means of “leapfrogging” an earlier (industrial) phase of economic development and “jump” directly into the digital age.

Course materials will be uploaded on the program website.

Assessment

Students will be assessed according to the following criteria:

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

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 2020 Quarter 4
Course	Elective for <i>YLP, IEBL, JDS & BiP</i>
Subject Name	Corporate and Business Law (A) (A.L.)
Course Title	Comparative Corporate Law
Credit	2
Lecturer	Minoru Tokumoto

Outline
<p>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.</p> <p>This course will start with an introduction to Japanese corporate law for those who have had little exposure to it.</p> <p>Then, it will deal with several important topics as shown below.</p>
Course Structure
<p>Each student is expected to give an oral presentation at least once during the course.</p> <p>Part I “Introduction to Japanese corporate law: Basic framework of Japanese corporate law”</p> <ol style="list-style-type: none"> 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. <p>Part II “Looking at corporate law from a comparative perspective”</p> <p>Foreign frameworks including students’ countries.</p>
Assessment
<p>(1) General class participation including a presentation: 50%</p> <p>(2) Report: 50%</p>

English Proficiency

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Term	Spring 2020 Quarter 4
Course	Elective for YLP, IEBL, JDS & BiP
Subject Name	Law and Governance (B) (A.L.)
Course Title	Platforms and the Law
Credit	2
Lecturer	Kentaro HIRAYAMA, Satoshi NARIHARA

Outline

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

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

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

First of all, we introduce you to the field of platforms and the law, referring to the tentative definition of "platform", leading cases of the field, and topics of this class. Next, we study competition law issues of platforms, focusing on issues related to two-sided market. Next, we will study information law issues of platforms, focusing on free flow of information and its limitation through platforms as well as privacy and data protection of users of platforms. Then, we study tax issues of platforms, inviting a special guest lecturer. Finally, we have presentations and discussions by students.

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.

Reading Materials:

1. Julie Cohen, *Law for the Platform Economy*, 51 U.C. Davis L. Rev. 133 (2017), available at <https://scholarship.law.georgetown.edu/facpub/2015/>
2. Orly Lobel, *The Law of the Platform*, 101 Minn. L. Rev. 87 (2016), available at <http://www.minnesotalawreview.org/articles/the-law-of-the-platform/>
3. Jack Balkin, *Free Speech in the Algorithmic Society* 51 U.C. Davis L. Rev. 1149 (2018), available at https://digitalcommons.law.yale.edu/fss_papers/5160/
4. Margrethe Vestager, *Building a fairer digital world*, available at https://ec.europa.eu/commission/commissioners/2014-2019/vestager/announcements/building-fairer-digital-world_en
5. Hovenkamp, Erik, *Platform Antitrust* (July 24, 2018). *Journal of Corporation Law*, 2019, Forthcoming. Available at SSRN: <https://ssrn.com/abstract=3219396>

Assessment

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

English Proficiency

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Term	Spring 2020 Quarter 4
Course	Students will be contacted on an individual basis to participate in this course
Subject Name	Legal Research Methodology and Writing (A.L.)
Course Title	Legal Research Methodology and Writing
Credit	--
Lecturer	Steven Van Uytsel
Office	E-D-514, 5F East Zone 2
e-mail	uytsel@law.kyushu-u.ac.jp

Outline
<p>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.</p> <p>In order to prevent students from submitting a thesis that contains sections or sentences that are plagiarized, the June 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.</p> <p>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.</p>

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

Assessment
No specific assessment

Term	Fall 2019
Course	Elective for LLM / CSPA
Course Title	Japan's Development in Context
Credits	2
Lecturers	Edward Boyle

Outline

This is a graduate seminar looking at the political history and development of modern Japan. The objective of the course is to explore the formation of modern Japan, and the ways in which that history has been, and continues to be, shaped by contemporary considerations. This series of seminars focusses on the period 1500-1950, and situates the institutional, economic and social history of Japan within its broader East Asian context.

The course has two distinct aims. The first is to provide students with a comprehensive overview of the political history of modern Japan's development as a prerequisite for a deeper understanding of the country today. The second is to emphasize how the interpretation and use of this developmental history is a process influenced by contemporary events.

These seminars will introduce students to important, ongoing debates regarding the political situation of the country, Japan's relations with its East Asian neighbors, and the perceived place of the nation in the world today. By the end of this course, students will have acquired a fundamental knowledge of the history of Japan down to 1950, together with the skills necessary to contextualize the different ways in which the early modern and modern development of Japan has been understood over time.

Course Structure

✂Further details and a reading list will be provided in class. It is expected that students intending to take this course will attend the first session on Thursday 10th October.

[SCHEDULE]

1. Introduction - Course Outline
2. When and what is Japan?
3. Politics in East Asia, c. 1500
4. From Warring States to the Great Peace
5. Mapping the Tokugawa System
6. An Industrious Revolution
7. Tokugawa Efflorescence
8. Pax Tokugawa
9. Meeting Modernity
10. Leaving Asia
11. Expanding Japan
12. Imperial Lives
13. Dismantling Empire

14. Conclusion - Historical Legacy and Memory

[READINGS]

The readings selected for the course introduce specific political and social topics within Japanese history, together with a number of analytical concepts from political science and international relations. Historical materials, both textual and visual, will be integrated where appropriate, and drawn upon in order to show that both the course of historical events themselves, *and* the ways in which these events are subsequently framed, are outcomes of political contestation.

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

Assessment

Class Attendance: 30%

Participation & Presentations: 30%

Essay: 40%

English Proficiency

*Note that for students not currently enrolled on an international program, this course requires sufficient English proficiency equivalent to about 80 pts. (Internet-based) in TOEFL.

Term	Fall 2019 / Spring 2020
Course	LL.D.
Subject Name	Legal Research Training (A)
Course Title	Legal Research Training
Credit	2
Lecturer	Steven Van Uytsel
Office	E-D-514, 5F East Zone 2
e-mail	uytsel@law.kyushu-u.ac.jp

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

Term	Spring 2020
Course	Elective for YLP, IEBL, JDS & BiP
Subject Name	Law and Governance
Course Title	Borders and Development in Asia
Credit	2
Lecturer	Edward Boyle

Outline
<p>[COURSE GOALS] To introduce the complexity of contemporary border spaces and their value for thinking about the politics of development and international relations in an increasingly Asian age.</p> <p>[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. The course will provide a range of perspectives on the development of and role for borders in contemporary Asia.</p> <p>[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.</p>
Course Structure
<p>Further details, and a reading list, will be given in the first session on Monday 6th April. It is expected that students intending to take the course will attend this first session.</p> <p>[RECOMMENDED READING]</p> <ul style="list-style-type: none"> Alexander Diener & Joshua Hagen (2012) <i>Borders: a very short introduction</i>, New York: Oxford University Press (e-book available: Kyushu University Library website). Akihiro Iwashita (2016) <i>Japan's Border Issues: Pitfalls and Prospects</i>, Abingdon, Oxon: Routledge.
Assessment
<p>Class Attendance: 30%</p> <p>Participation & Presentations: 30%</p> <p>Essay: 40%</p> <p>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.</p> <p>One compulsory research essay that should demonstrate an engagement with the theoretical and practical content of this course. The essay is not required to be on Asia.</p>

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 2020 (semester-length)
Course	YLP/IEBL/JDS/BiP/Lifelong Learning (compulsory for JDS)
Course Title	Law and Development: A Japanese Perspective and Experience
Credit	2
Class	Omnibus lectures
Room	TBD
Lecturer	Prof. Ryu KOJIMA (coordinator), Professors from Kyushu University Faculty of Law, and Lecturers from JICA
Office	E-D 517, East Zone 2, 5F
e-mail	kojima@law.kyushu-u.ac.jp

Outline
<p>In 2018, Japan commemorated 150 years since the Meiji Restoration. As a part of the “JICA Development Studies Program (JICA-DSP)”, this course aims to review the Japanese experience of modernization and development from a legal perspective.</p> <p>This course consists of three parts:</p> <p>First, we would like to introduce a theoretical framework, namely, “Comparative and Historical Institutional Analysis”, to make an analysis in the following classes.</p> <p>Second, we will invite professors of Kyushu University, Faculty of Law from various disciplines to trace the Japanese experience of law and development.</p> <p>Third, we will learn more about the history of Japanese Official Development Assistance (ODA) from specially invited guests from JICA.</p> <p>Regarding the details of JICA-DSP, please refer to the following website: https://www.jica.go.jp/english/news/field/2018/181016_01.html</p>

Course Structure

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

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

Class 1: May 15, 2020, 16:40-18:10

Introduction:

Antonina Bakardjieva Engelbrekt, *Copyright from an Institutional Perspective: Actors, Interests, Stakes and the Logic of Participation*, pp.65-72, available at

https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1144289

**You do not need to read the whole article.*

Thomas Leeson, *The Invisible Hook: The Hidden Economics of Pirates* (Princeton University Press 2012), pp.1-45

Class 2: May 20, 2020, 10:30-12:00

The Function of Norms:

Robert C. Ellickson, *Order without Law: How Neighbors Settle Disputes* (Harvard University Press 1994), pp.1-11, 123-136, 280-286.

Class 3: May 21, 2020, 10:30-12:00

Historical Institutional Analysis:

Douglass North, *The Role of Institutions in Economic Development*, available at

https://www.unece.org/fileadmin/DAM/oes/disc_papers/ECE_DP_2003-2.pdf

Class 4: May 27, 2020, 10:30-12:00

Institutional Economics and Development:

Chapter(s) from the following book (TBD):

Abhijit Banerjee & Esther Duflo, *Poor Economics: A Radical Rethinking of the Way to Fight Global Poverty* (PublicAffairs 2012)

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

Assessment

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

English Proficiency

*Note that for non-IEBL/YLP/BiP/JDS/Lifelong Learning students, this class requires sufficient English proficiency equivalent to about 580 pts. in TOEFL.