

OUTLINE OF ACADEMIC DISCIPLINE

Educational program

40.04.01 Jurisprudence

« International Private Law »

Discipline	Law of international trade
Volume	4 Credits (144 hours)
Discipline Overview	
Topical guide	Overview of topics
Introduction to Law of International Trade. Sources of Regulation Applicable to Cross-Border Commercial Transactions	Scope of law of international trade. Sources of law of international trade: international conventions, national law, commercial practices and other forms of "soft law". Consequences of choice of law. Harmonization of law of international trade. Role of the United Nations and the International Chamber of Commerce in formation of law of international trade. Modern lex mercatoria.
Cross-Border Commercial Transaction	Features of cross-border commercial transactions. Principles applicable to a cross-border commercial transaction: freedom of contract, good faith, equality of parties to the contract and mutual benefit, reasonableness of a party to the contract. Requirements as to: (i) form, (ii) formation, (iii) execution and (iv) contents of cross-border commercial transactions. Methods of interpretation of provisions of cross-border commercial transactions.
International Sale of Goods	Formation of a contract on international sale of goods (" ISG Contract "). Distribution of rights and obligations in the ISG Contract. Place of performance and payment. Delivery date and methods of its determination. Quality and conformity of goods. Passing of risk. Breach of the ISG Contract. Avoidance of the ISG Contract. Remedies available to the seller, the buyer and / or both parties as a result of a breach and / or avoidance of the ISG Contract. Pre-defined commercial terms of the ISG Contract. Application of INCOTERMS 2010.
International Carriage of Goods	Overview of sources and principal features of regulation of international carriage of goods: (i) by sea, (ii) by rail, (iii) road and (iv) by air. International bill of lading
International E-Commerce	Notion of e-commerce and e-transaction. Legal risks connected with conclusion of transactions by electronic means. Regulations applicable to cross-

	border e-commerce, including UNCITRAL Model Law On Electronic Commerce (1996).
Distribution Agreements. Agency	International agency. Regulations applicable to international agency agreements, including UNIDROIT Convention on Agency in the International Sale of Goods (1983), the ICC Model Commercial Agency Contract (pub. No. 496), etc. Regulations applicable to international distribution agreements, including the ICC Model Distributorship Contract, The ICC Model Distributorship Contract Sole Importer-Distributor, the Guide to Drafting International Distributorship Agreements (pub. No. 441 (E))
Payment Methods	Principal payment methods: cash in advance, open account, bills of exchange, documentary bills, documentary credits. Principal features of the UN Convention on International Bills of Exchange and International Promissory Notes 1988. Regulation of documentary credits, including UNCITRAL Model Law On International Credit Transfers 1992 (including corresponding regulations in the EU), Uniform Customs and Practice for Documentary Credits (UCP 600). Regulation of demand guarantees, including UN Convention on Independent Guarantees and Stand-By Letters of Credit 1995
Dispute Resolution in International Commerce	Mechanisms of resolution of disputes arising out of cross-border commercial transactions. Jurisdiction of national courts. International arbitration. Principal arbitration institutions

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OUTLINE OF ACADEMIC DISCIPLINE

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40.04.01 Jurisprudence

**SPECIALIZATION “INTERNATIONAL PRIVATE LAW”,
GRADUATE DEGREE MASTER OF LAWS (LLM)**

Discipline	LAW OF TORTS
Volume	3 Credits (108 hours)
Discipline Overview	
Topical guide	Overview of topics
Unit 1 Nature and Scope of Torts Seminar 1 Main definitions (1):	- Negligence and Non-Intentional Tort An overview of the law of negligence, including theoretical and historical perspectives and the place of negligence in tort law and private law Liability for psychiatric injury Liability for pure economic loss Liability for omissions
Unit 1 Nature and Scope of Torts Seminar 2 main definitions (2):	-Abnormally dangerous activities & products liability v. car accident compensation cases and damages to the environment, - Defective Products
Unit 2 Cross-cultural level of tort law (case of Russia, China, Vietnam, India, Brazil, South Africa, Jordan, etc.). Seminars 3-9	Seminars 3-9 under the scheme: 1) statement of the problem: nature and scope of conflicts, 2) sources of law, 3) the fundamental principle/connecting factor (e.g., lex loci delicti commissi), 4) exceptions to the fundamental principle/connecting factor, 5) the scope of application of the Statute of the tort liabilities, 6) renvoi, 7) procedural issues of the tort claims, 8) 2018 case developments.
Unit 3 International dimension of tort law (Conventions) Seminars 10-13	Principal topics include: The crux of the issue, examples, cases, Legal framework, sources of law (Conventions) and their main provisions and approaches, Connecting factors used on case of international torts.

Unit 4 Supranational level of tort law (examples of EU (Europa), ASEAN (South-East Asia), MERCOSUR (Latin America), SCO (Supranational conventions & Treaties) Seminars 14-17	
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OUTLINE OF ACADEMIC DISCIPLINE

Educational program

40.04.01 Jurisprudence

«International Private Law»

Discipline	Mergers and Acquisitions
Volume	2 Credits (72 hours)
Discipline Overview	
Topical guide	Overview of topics
Introduction to the course	Introduction to Business Acquisitions. Overview of Different Acquisition Methods. Main terms which are under for M&A transactions. Historical overview of the developments of issues related to the regulation of M&A transactions.
Sources and principles of the M&A transactions	Legal sources of the M&A transactions under the Russian, English and the U.S. Law. Main principles of the M&A transactions
The Mechanics of Structuring of merger and acquisition transactions	Stages of M&A transactions; CP and CS under the M& A transactions; anti-takeover actions; Roles of the participants of M&A transactions.
Non-Disclosure/Confidentiality and Exclusivity Agreements under the merger and acquisition transactions	NDA and its role during an M&A transaction. Differences between Exclusivity and Investment Agreements and their role for the realization of the M&A transaction. Termshit at the stage of the negotiations.
The Role and forms of Due diligence for the merger and acquisition transactions	Term and role of Due diligence procedure for future M&A transaction. Types of the due diligence procedures. Participants of the due diligence regulation. Consequences of the Due Diligence for an M&A transaction.
Documents which are necessary for merger and acquisition transactions	Share purchase and shareholder agreement and their role for the shareholders protection under M&A transaction. Investment agreement during an M&A transaction. Other documents which are necessary for M&A transactions.
Main conditions of the merger agreements	Structuring of the merger agreement. Definitions, Covenants, Representation and Warranties, Enforcement Clause, Third Parties rights clause, Default interest, Indemnity Clause.

Corporate actions (formalities) during merger and acquisition transactions	Shareholders and directors (executives) approvals during an M&A transaction. Majority and minority rights during the corporate actions. Anti-takeover Mechanisms.
Successor Liability during an M&A transaction	Scope and forms of Successor Liability. Indemnification institution.
Venture investments and M&A transactions	Term and legal nature of the venture investments. Stage of the venture investments. Regulation of the venture investments.

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OUTLINE OF ACADEMIC DISCIPLINE

Educational program

40.04.01 Jurisprudence

« International Private Law»

Discipline	Protection of Intellectual Property Rights
Volume	4 Credits (144 hours)
Discipline Overview	
Topical guide	Overview of topics
Protection of ip rights. General overview	1. Intellectual property: definition and types. 2. Intellectual property in civil turnover. 3. Meaning and types of ip rights. 4. Main characteristics of russian ip legislation, its development trends. 5. International collaboration in the field of ip protection. 6. Main ip remedies (general comparative analysis).
Protection of ip rights through civil procedure	1. Jurisdiction of ip disputes. 2. Prejudicial settling of ip disputes. 3. Possible claims against ip infringers. 4. Preliminary injunction in ip disputes. 5. Distinctive characteristics of court proceedings related to ip disputes. 6. Expert examination in ip disputes. 7. Enforcing of court decisions related to ip disputes.
Protection of ip rights in the internet. Domain name disputes	1. Internet: definition and history. 2. Use of ip objects in the internet. 3. Domain name system. Registration of domain names. 4. Unfair registration and use of domain names. 5. United disputes resolution policy and its applicability. 6. Russian court practice related to the domain name disputes. 7. Copyright infringements in the internet and their prosecution.
Protection against unfair competition	1. Antimonopoly bodies and its role in protection of ip rights. 2. Unfair competition related to registration and use of results of intellectual activity and meanings of individualization. 3. Infringement of ip rights in advertising. 4. Comparative advertising and limits of its use.

	5. Umbrella advertising.
Protection of ip rights through administrative and criminal proceedings	1. Administrative liability for the ip infringements. 2. Distinctive characteristics of administrative proceedings against ip infringement. 3. Criminal liability for the ip infringements. 4. Distinctive characteristics of criminal proceedings against ip infringement.
Protection of ip rights with customs assistance	1. Customs register of ip objects. 2. Entering of ip objects into the customs register. 3. Customs suspension of allegedly counterfeit goods. 4. Parallel import. Russian and foreign law related to parallel import. 5. Customs union between belarus, kazakhstan and russia. 6. Unified customs ip register.
Legal and economical ip evaluation. Ip due diligence	1. Ip due diligence: definition and purposes. 2. Main stages of ip due diligence stages, crucial points of research. 3. Main particulars of ip due diligence related to different ip rights. 4. Economical appraisal of ip rights. 5. Different approaches to economical appraisal of ip rights.
Grounds and procedures for contesting ip rights	1. Grounds and procedures for contesting of trademarks. 2. Grounds and procedures for contesting patent rights. 3. Disputes about copyright. 4. Unfair squatting of ip rights and its prosecution.

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OUTLINE OF ACADEMIC DISCIPLINE

Educational program

40.04.01 Jurisprudence

«International Private Law»

Discipline	<i>Transnational insolvency</i>
Volume	2 Credits (72 hours)
Discipline Overview	
Topical guide	Overview of topics
The concept and purposes, subject and method of Insolvency (bankruptcy) law	General characteristics of comparative law. The concept of insolvency (bankruptcy) law as a complex discipline, the subject and method of insolvency (bankruptcy) law. Insolvency (bankruptcy) law in the system of legal branches. Insolvency and bankruptcy. Cash-flow insolvency and non-payment.
The history of the development of the legal institution of insolvency (bankruptcy) in Russia and foreign states	The stages of development of insolvency (bankruptcy) law in different states. The development of the civil and procedural relations, the improvement of the rules regulating insolvency (bankruptcy). Comparative analysis of modern world systems of insolvency (bankruptcy) legislation.
Transnational (cross-border) insolvency (bankruptcy) as an institution of private international law	The concept of transnational (cross-border) insolvency (bankruptcy). Collisions and national-legal regulation of transnational (cross-border) insolvency (bankruptcy). The competence of the jurisdictional authorities.
Normative composition of legal regulation of transnational (cross-border) insolvency (bankruptcy)	International legal cooperation in cases of transnational (cross-border) insolvency (bankruptcy) and the UNCITRAL model law 1997. The European model of transnational (cross-border) insolvency (bankruptcy) (conventions and recommendations). Regulatory acts of the regional international legal coordination in cross-border insolvency (bankruptcy).
Applicable law and determining jurisdiction in transnational (cross-border) insolvency (bankruptcy)	The principles of legal regulation of the transnational (cross-border) insolvency (bankruptcy) proceedings. Applicable law in transnational (cross-border)

	insolvency (bankruptcy). The issues of jurisdiction in cases of transnational (cross-border) insolvency (bankruptcy).
Actual problems of transnational (cross-border) insolvency (bankruptcy): the theoretical and practical aspects	The presumption of incorporation, domicile and definition of centre of main interests of the debtor. The concept of "uniform proceeding" and "parallel territorial proceedings". Acceptance and enforcement of foreign court's decisions on transnational (cross-border) insolvency (bankruptcy).

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АННОТАЦИЯ УЧЕБНОЙ ДИСЦИПЛИНЫ

Образовательная программа

40.04.01 Юриспруденция «International Private Law»

Наименование дисциплины	<i>Transnational insolvency</i>
Объём дисциплины	2 ЗЕ (72 час.)
Краткое содержание дисциплины	
Название разделов (тем) дисциплины	Краткое содержание разделов (тем) дисциплины:
Понятие и цели, предмет и методы законодательства о несостоятельности (банкротстве)	Общая характеристика сравнительного права. Понятие несостоятельности (банкротства) как комплексной дисциплины права, предмет и методы несостоятельности (банкротства). Законодательство о несостоятельности (банкротстве) в системе юридических отраслей. Несостоятельность и банкротство. Неплатежеспособность и неоплатность.
История развития правового института несостоятельности (банкротства) в России и зарубежных государствах	Этапы развития законодательства о несостоятельности (банкротстве) в разных государствах. Развитие гражданско-процессуальных отношений, совершенствование норм, регулирующих вопросы несостоятельности (банкротства). Сравнительный анализ современных мировых систем законодательства о несостоятельности (банкротстве).
Транснациональная (трансграничная) несостоятельность (банкротство) как институт международного частного права	Понятие транснациональной (трансграничной) несостоятельности (банкротства). Коллизионное и национально-правовое регулирование транснациональной (трансграничной) несостоятельности (банкротства). Компетенция юрисдикционных органов.
Нормативные источники правового регулирования транснациональной (трансграничной) несостоятельности (банкротства)	Международное правовое сотрудничество в случаях транснациональной (трансграничной) несостоятельности (банкротства) и типовой закон ЮНСИТРАЛ 1997 года. Европейская модель транснациональной (трансграничной) несостоятельности (банкротства) (Конвенции и рекомендации). Нормативные акты регионального международно - правового согласования в трансграничной несостоятельности (банкротстве).

Применимое право и определение юрисдикции	Принципы правового регулирования транснационального (трансграничного) производства по делам о несостоятельности (банкротстве). Применимое право при транснациональной (трансграничной) несостоятельности (банкротстве). Вопросы юрисдикции в делах о транснациональной (трансграничной) несостоятельности (банкротстве).
Актуальные проблемы транснациональной (трансграничной) несостоятельности (банкротства): теоретические и практические аспекты	Презумпция инкорпорации, домицилия и определения центра основных интересов должника. Понятие «единое производство» и «параллельное территориальное производство». Принятие и исполнение решений иностранных судов о транснациональной (трансграничной) несостоятельности (банкротстве).

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OUTLINE OF ACADEMIC DISCIPLINE

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40.04.01 Jurisprudence

«International Private Law»

Discipline	TRANSPORT AGREEMENTS AND CONVENTIONS	
Volume	2 Credits (72 hours)	
Discipline Overview		
Introduction in the field of Transport Agreements and Conventions		• Vehicles, promoting safety and environmental performance • The transport of dangerous goods (chemicals, explosives) • Global harmonized labelling system for chemicals • The international transport of goods by road (TiR Convention) • Road safety (road signs, road safety, etc.)
International transportation	railway	Rail transport is a means of transferring of passengers and goods on wheeled vehicles running on rails, also known as tracks. It is also commonly referred to as traintransport. In contrast to road transport, where vehicles run on a prepared flat surface, rail vehicles (rolling stock) are directionally guided by the tracks on which they run. Tracks usually consist of steel rails, installed on ties (sleepers) and ballast, on which the rolling stock, usually fitted with metal wheels, moves. Other variations are also possible, such as slab track, where the rails are fastened to a concrete foundation resting on a prepared subsurface.
International Transport	Road	IRU started the TIR System Transports (Internationaux Routiers) in the late 1940s, helping a war-torn Europe to rebuild devastated trade and commercial links. By 1959, the successful system led to the United Nations TIR Convention, still in place today with almost 70 contracting parties – nations and multinational bodies – on four continents, and overseen by the United Nations Economic Commission for Europe (UNECE). With the continued expansion of TIR, and the benefits it has brought across the Eurasian landmass, many countries in Africa, Asia, the Middle East and South America are now joining the system
International transportation	air	Aviation law is the branch of law that concerns flight, air travel, and associated legal and business concerns. Some of its area of concern overlaps that of admiralty lawand, in many cases, aviation law is considered a matter of international law due to the nature of air travel. However, the business aspects of airlines and their regulation also fall under aviation law. In the international realm, the International Civil Aviation Organization (ICAO)

	provides general rules and mediates international concerns to an extent regarding aviation law. The ICAO is a specialized agency of the United Nations. In the United States and in most European nations, aviation law is considered a federal or state-level concern and is regulated at that level. In the U.S., states cannot govern aviation matters in most cases directly but look to Federal laws and case law for this function instead. For example, a court recently struck down New York's Passenger Bill of Rights law because regulation of aviation is traditionally a federal concern. Aviation law, however, is not in the United States held under the same Federal mandate of jurisdiction as admiralty law; that is, while the United States Constitution provides for the administration of admiralty,^[1] it does not provide such for aviation law. States and municipalities do have some indirect regulation over aviation. For example, zoning laws can require an airport to be located away from residential areas, and airport usage can be restricted to certain times of day. State product-liability laws are not preempted by Federal law and in most cases, aviation manufacturers may be held strictly liable for defects in aviation products.
International shipping	Admiralty law or maritime law is a body of law that governs nautical issues and private maritime disputes. Admiralty law consists of both domestic law on maritime activities, and private international law governing the relationships between private parties operating or using ocean-going ships. While each legal jurisdiction usually has its own legislation governing maritime matters, the international nature of the topic and the need for uniformity has, since 1900, led to considerable international maritime law developments, including numerous multilateral treaties. Matters dealt by admiralty law include marine commerce, marine navigation, salvage, maritime pollution, seafarers' rights, and the carriage by sea of both passengers and goods. Admiralty law also covers land-based commercial activities that are maritime in character, such as marine insurance. Some lawyers prefer to reserve the term "admiralty law" for "wet law" (e.g. salvage, collisions, ship arrest, towage, liens, & limitation), and use "maritime law" only for "dry law" (e.g. carriage of goods & people, marine insurance, and the MLC)
Carrier liability insurance	The insured is covered and indemnified against his legal liability for actual and physical loss of or damage to goods or merchandise directly caused by fire and or accident to the vehicle registered under the number stated in the schedule whilst such goods or merchandise are actually transported in the said vehicle on condition that:- ○ Fire or accident has arisen on account of negligence of the insured. ○ Such damage or loss has been caused due to negligence or criminal acts of the insured's servants.

	○ That the vehicle is damaged by fire or explosion or accident. ○ That a claim in respect of the motor vehicle thereof is admitted under motor comprehensive insurance policy covering the vehicle. The cover will commence with the loading of cargo on the vehicle and will be in force until unloading of the cargo at the discharging point or expiry of seven days after the first arrival of the vehicle at the destination town which ever may occur first.
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