

MGT-455

Practical business law

Cherpillod Denis

Cursus	Sem.	Type
Management, Technology and Entrepreneurship minor	E	Opt.
Managmt, tech et entr.	MA2, MA4	Opt.

Language of teaching	English
Credits	4
Session	Summer
Semester	Spring
Exam	Written
Workload	120h
Weeks	14
Hours	3 weekly
Courses	3 weekly
Number of positions	

Summary

The course covers the fundamental concepts of business law from a practical standpoint, including contracts and company law, intellectual property, competition law and data protection, with a special focus on issues specific to start-up companies.

Content

This course will cover the legal foundation of business transactions with focus on practical handling of legal issues frequently arising in a business context. This course includes:

- an introduction to contracts (formation, completion and termination)
- a study of common business agreements (purchase and sale, manufacturing, services, employment, cooperation, non-disclosure, non-compete),
- an overview of intellectual property (patents, copyrights & trademarks),
- an overview of competition law and data protection,
- technology development and transfer agreements (licenses, franchises, R&D, joint ventures),
- an overview of company law, with special emphasis on the most common form of companies,
- an overview of the issues that are specific to start-up companies, including relationships amongst shareholders and financing by investors,
- a role game (participation optional) enabling students to negotiate a business transaction and handle a litigation case.

Specific skills will be taught, such as understanding contractual documents, drafting typical contractual clauses and some negotiation techniques and pitfalls.

Finally, this course draws the students' attention to certain issues relating to regulatory matters and dispute resolution.

Keywords

Law, legal, negotiation, business transactions, contracts, companies, intellectual property, competition law, data protection, start-ups.

Learning Outcomes

- Identify major issues in situations with legal implications
- Assess / Evaluate advantages and disadvantages of various legal solutions
- Distinguish different types of contracts and companies and their respective features
- Structure, understand, negotiate and draft the business terms of the major types of contracts used in business transactions, such as manufacturing agreements, technology transfer agreements and corporate transactions
- Explain the functioning of a company (including its financing and the relationships between shareholders)
- Construct a basic legal reasoning

- Assess / Evaluate the legal risks associated with a transaction
- Identify when legal advice should be sought

Transversal skills

- Respect relevant legal guidelines and ethical codes for the profession.
- Resolve conflicts in ways that are productive for the task and the people concerned.
- Communicate effectively with professionals from other disciplines.
- Use a work methodology appropriate to the task.

Teaching methods

Lecture, case studies, critical analysis, class discussions, exercises and role game.

Expected student activities

Students are expected to attend the lectures, to prepare case studies and to participate in exercises. They may opt to participate in a role game in which they negotiate a business transaction, draft an agreement and react to a litigation scenario.

Assessment methods

85% written exam (open book)

15% exercises (including role game)

Resources

Virtual desktop infrastructure (VDI)

No

Moodle Link

- <https://moodle.epfl.ch/course/view.php?id=14398>