

# LL.M in international and european business law

## Introduction

The master 2 LL.M in International and European Business Law program from the Faculty of Law Lyon 3 offers students the opportunity to deepen their knowledge of European and International Business Law. The courses, taught exclusively in English by academics and practitioners, fully meet the requirements of the practice of international lawyers.

This program takes entirely place in Lyon, France, during an academic year, and its success is sanctioned by a French national master 2 degree, issued to the student after passing the exams with success.

This program offers highly qualified students the opportunity to pursue their legal studies at an advanced level in a challenging but supportive environment.

## Objectives

- Deepen students' knowledge of law at the national, European and international levels, thus providing students with the tools to work more effectively in a global setting;
- Develop the students' personal and professional capabilities so that students are able to integrate into the practice of law, by:
  - Enhancing forensic and critical legal skills through case analysis and legislative evaluation
  - Encouraging independent reading and research using traditional and internet resources
  - Guiding students in applying legal concepts to real life situations, using legal case analysis and problem solving
  - Promoting team work and public speaking
  - Focusing on practical legal skills, including drafting, advocacy, negotiation and communication
  - Training students to present complex ideas and arguments involving the fields of law studied in writing and orally
  - Encouraging students to use contextual and critical thinking

## Facts and figures

The master 2 LL.M in International and European Business Law at UJM Lyon 3:

- 1 academic year completely taught in English

## Duration

- 1 year

## Places

- Lyon

## Conditions

- Attending

## Contacts

### Contact

For any further information, feel free to contact [llm@univ-lyon3.fr](mailto:llm@univ-lyon3.fr)

## Submission

### Tuition

Student and Campus Contribution + Registration fees + Tuition fees (LL.M)

- For the master 2 LL.M program: 10,000 Euros
- For students who spent 1 semester in exchange (ERASMUS) or under a bilateral agreement with a partner University, and who want to complete the degree\*\*: 5,000 Euros

- 2 semesters : mid-September to mid-December and mid-January to mid-April
- 45 students per year
- 22 professors and practionners from all over the world
- 21 specialized Law courses per year
- 12 different countries of origin for 2023 - 2024's students

## Message from the directors

By choosing the master 2 LLM in International and European Business Law at the University Jean Moulin Lyon 3, you have taken the right decision. The Lyon Law School is one of the best in France with an old history and an opening on foreign legal systems. In 1920, the well-known comparatist Edouard Lambert created the Institute of Comparative Law which now bears his name. Nowadays, one of the strengths of the Law School is its reputation in International and European Law.

It seemed then logical to create a master 2 LLM in International and European Business Law. The business orientation has been decided in order to give more coherence to this program. It has to be recalled that Lyon is a business hub with a specific position in Europe and particular business relations with Swiss and Italy. This position and our reputation allow us to attract the best lecturers and the best students.

This Master 2 LLM is integrated in the Law School. Some of the lecturers are from the Lyon School of law and some of the courses will be taught in common with French Master courses even though in English. Students from the master 2 LLM representing various nations will then be mixed with French students in order to speed up their French integration.

We wish you an unforgettable year in Lyon 3

Pr. Lukasz STANKIEWICZ , Pr. Pascal KAMINA, Co-Directors of the M2 / LL.M Program

## Student life

City of Lyon

Lyon is a European metropolitan area with a human scale and is often cited among the cities in France and Europe having the best quality of life. Listed as World Heritage by UNESCO, it subtly combines an attractive living environment and economic dynamism.

Good food, entertainment, culture... Lyon people enjoy the simple pleasures of life! Lyon gastronomy stands out with 15 Michelin starred-establishments, in Lyon and its surroundings. The famous "bouchons"



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(traditional Lyon restaurants), as well as the many others restaurants offered by the city will please all gourmets!

Lyon hosts leading artistic events that keep its nights lively. Each season features an event that stars talents from everywhere in the world. In the spring, Les Nuits Sonores, an increasingly famous indie and electronic music festival. Summer nights mean outdoor concerts with the jazz festival Jazz à Vienne and les Nuits de Fourvière. In the fall, you can enjoy artist performances at the Biennial Festivals of Dance and Contemporary Art. Winter offers an artistic and technological masterpiece: la Fête des Lumières (Festival of Lights).

With its rich heritage, Lyon offers multiple places where culture has the place of honor to its residents: the Opera house, the Contemporary Art Museum, the World Puppets Gadagne museum, the Gallo-Roman museum, the Fine Arts museum, the Center for the History of the Resistance and Deportation, the Auditorium, the Maison de la Danse... along with around twenty theaters!

For sport fans, Lyon has high-ranked teams in most prominent team sports: Olympique Lyonnais for soccer, ASVEL for basketball, LOU for rugby...

Besides, Lyon is an ideal starting point to travel to ski resorts, the south of France (Provence, Côte d'Azur), Paris (two hours in TGV), and European countries such as, for instance, Italy, Switzerland and Spain.

## Useful informations

Committed to creating a vibrant atmosphere on its campuses, Jean Moulin Lyon 3 University attaches great importance to student life and student associations. Almost 80 student associations participate fully every year with their cultural, solidarity or sporting initiatives. The University is also committed to the successful integration of its students, with highlights including the Welcome Day and various International Days, etc.

Please consult [Coming to Lyon 3](#) on the website of the University (with links to programs and useful informaton), and the [website of the University](#) (English version).

[Download the International Students Guide](#)

## Admission



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## Applications

### Selective

Yes

Admission is based on application and after an interview, and is not part of the e-candidate procedure.

## Application

### Conditions of applications

**Applications for the 2025-2026 academic year are now open.**

After completing the application form, you will be contacted by the LL.M office to send the supporting documents.

**The deadline for sending applications is May 31st, 2025.** The management of the LL.M reserves the right to accept late applications, however, we draw your attention to the limited number of places and the deadlines for obtaining visas.

**Visa applicants:** We highly recommend you to apply **before May 1st, 2025.**

## What's next ?

### Level of education obtained after completion

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- Level 7



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# Program

FALL SEMESTER - September to December

## **Comparative Tort Law** (3 credits or 1.5 US credits)

The course aims at providing students with tools enabling them to understand and address tort law issues in a comparative perspective, in the light of traditional doctrine, recent developments, and ongoing evolutions. Examples will be drawn from European jurisdictions such as England, France, Germany, or Spain, as well as from the US.

After an introduction to fundamental aspects of tort law and key policy arguments shaping its development, the course will cover the key elements of a tort claim, though obviously limited to some highlights of each. Specific problems of the notion of compensable harm, challenges of establishing causation, and primary bases of attributing losses will be discussed. Before looking at the various remedies available to a victim of a delict, four special problems of tort law will be analysed - traffic accidents, product liability, medical malpractice, and digital risks. The last unit will examine the potential to harmonize tort law in Europe and beyond.

Students will have access to a digital course package with excerpts from legislation, cases, and academic writing. In-class discussion is strongly encouraged.

## **EU Public Contracts, Procurement and State Aid Law** (3 credits or 1.5 US credits)

The aim of this course is to give insights into some of the public law rules which impact strongly businesses. Of course, many public rules, i.e. rules regulating governmental bodies and public authorities produce effect on firms as well as on citizens (such as the Administrative Procedure Act in the USA). But two sets of rules have a more direct effect since their rationale is based on the principle of equal treatment of economic operators to the point that academic spheres and law firms sometimes refer to them as 'public business law'.

The first set of rules deals with public contracts law, also known as government contract law. The rules on the performance of these contracts vary greatly from one jurisdiction to another, including within the two legal worlds (common law countries, civil law countries). While English law limits the adaptation of the rules applied to private parties, French law has developed a legal framework which partially derives from the core principles of contract law, especially from the sanctity of contract principle (Part 1.A).

But when it comes to the award of some of public contracts, such as public procurement contracts, EU law has long set a range of detailed rules in order to ensure that the principle of free movement of goods and services is secured. Initially based on the search of the most economically advantageous offer, EU law now authorises the use of public procurement contracts and concession contracts in order to promote horizontal objectives such as green and social considerations, SME's or the fight against corruption. These new objectives may cause challenges to the competition principle (Part. 1.B).

The second set of rules deals with the award of State aid to firms. EU law has again long decided to constraint the possibilities for public bodies to help firms so as to enforce fair competition but admits some exceptions. The principle of incompatibility of State aid to firms not only means that the exceptions are to be interpreted strictly, it also means, in the framework created from the very beginning of the European Union, a centralized review by the European Commission, while Member States have a limited role. In other words, EU law put in place both substantive (Part. II.A) and procedural rules (Part. II.B) when it comes to State aid. This course will mainly focus on EU law with a few looks at comparative law and international law.



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### **European and French Corporate Law in a Comparative Perspective** (3 credits or 1.5 US credits)

The course first provides an introduction to corporate law concepts and ideology, in a comparative perspective (Europe – France in particular – and the US). It then describes a standard business acquisition process used worldwide, from a legal and tax points of view, before analyzing the obstacles to international mergers. It proposes remedies to such obstacles with an introduction to (i) the European Company (Societas Europaea), as introduced by EU Regulation dated October 8, 2001, (ii) reverse triangular merger technique used by French companies wishing to acquire US entities, and – if time permits – (iii) stock exchange law. A case study will serve as a basis for reflection. Finally, an initiation to Law & Economics aspects of corporation law will conclude the class module.

### **International Commercial Arbitration** (3 credits or 1.5 US credits)

International commercial arbitration is believed to be the most popular alternative dispute mechanism outside national courts to settle disputes arising from international commercial transactions. The purpose of this course is to introduce students to the operation of arbitration, the relationship between arbitration and national courts and issues arising from various aspects of international commercial arbitration. The course has a comparative approach between national legal systems (with some emphasis on English law), international treaties, and international/transnational Model laws.

### **International Dispute Resolution** (3 credits or 1.5 US credits)

International Dispute Resolution raises a series of difficult questions. Which domestic judge is to exercise adjudicatory authority over the litigation? Which domestic law should be selected to govern the case? How should international conflicts of litigations be addressed? Those questions are time and money consuming and one shouldn't engage in international litigation without a sound strategy and a deep knowledge of the different systems potentially in charge with providing an answer. This course will focus on business activities and mainly deal with jurisdiction in matters relating to contract (including consumer contracts, contracts of employment, and insurance contracts), tort, property, patents, company, insolvency, etc. The European model (Regulation (Eu) No 1215/2012 of The European Parliament and of the Council of 12 December 2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (recast); Council regulation (EC) No 1346/2000 of 29 May 2000 on insolvency proceedings; Regulation (EC) No 805/2004 of the European Parliament and of the Council of 21 April 2004 creating a European Enforcement Order for uncontested claims; etc.) will be used to illustrate theoretical and practical difficulties regarding jurisdiction in an international context. But it will not be forgotten, on the one hand, that this model is only regional, competed by international treaties (such as the Hague Convention (30 June 2005) on Choice of Court Agreements), and on the other hand, that it is still incomplete, leaving room for domestic private international law to apply on many occasions.

#### Objectives

Provide the students with the means to foresee international litigations difficulties, and make accurate and strategic choices, as a plaintiff's or as a defendant's counsel. This objective requires addressing different questions in a methodological manner.

### **International Intellectual Property Law** (3 credits or 1.5 US credits)

The operation of the intellectual property law, in the variety of global legal situations, has its own dynamism. It cannot result from the mere application of a method or a legal solution at a given moment, in a predetermined space and on a predetermined level, by a duly identified actor. It must be grasped in one movement. In a single situation, several laws must sometimes be mobilised, alternatively, cumulatively, at the same time or at different moments, in or on one or several spaces or levels, by one or by multiple actors. This distinctive dynamic, which the lawyer must be conscious of when passing from one context – national, international or European – to another, has an influence over the law, its uses and, sometimes, its content. This lecture proposes to make



explicit, through a range of situations and concrete examples, the analysis the lawyer engages in every time he is confronted by situations in which several intellectual property laws formulated in a national (French or foreign), international (WTO, WIPO) or European (EU) environment may be applied together to a given case. Several tools of a pluralistic application of the law are used in this operation. They are organised according to a basic three-step approach, consisting of the comparison (Part 1), then the combination (Part 2) and, finally, the hierarchization (Part 3) by the lawyer of the methods and solutions of national, international and European law that he is to use to solve his case.

### **International Tax Law** (3 credits or 1.5 US credits)

In contemporary world no business lawyer can ignore tax consequences of his or her acts. In real life, the appropriateness of any conclusion of contract, any company restructuring or any other business action must be tested against tax considerations. This is particularly true in a cross-border context where tax jurisdictions overlap, causing additional burdens but also creating new opportunities. This course is aimed at providing the students with a working knowledge of fundamental concepts of international tax law, with particular focus on international taxation of income. Special attention will be given to the OECD Model Tax Treaty as well as, primarily, to French and US domestic rules pertaining to cross-border taxation of income. In particular, students will be expected to understand the operation of the provisions of the OECD Model Tax Treaty.

### **Internet and Digital Copyright Law** (3 credits or 1.5 US credits)

The course aims to discuss hot topics of copyright law in the digital age from a comparative perspective. Students will get familiarized with the legal treatment of the covered topics in the United States, and under the law of the European Union.

The module starts with a theoretical introduction, where the effects of technological innovation and social needs upon the development of copyright protection are highlighted. Likewise, comparative and digital basics of copyright law will be introduced. The course uses the example of limitations and exceptions to stress how significant differences exist between the Anglo-Saxon “copyright” and the Continental European “Urheberrecht” and “droit d’auteur” systems.

The module continues with the analysis of the several digital copyright issues. The first is related to the doctrine of exhaustion (first sale doctrine in the U.S. copyright law). Under this concept the lawful acquirer (purchaser) of a lawfully sold work (or a copy thereof) shall have the right to dispose of the property of the said work without any permission of the rightholder. This concept will be discussed from a digital copyright perspective as well.

The course includes a session on musical sampling, which is about the use of pre-existing copyrighted sound recordings (and musical compositions) in new sound recordings. The case law of the United States and the Continental European countries show a significant difference with respect to this topic.

The United States and the EU Member States treat the legal problems related to P2P file-sharing differently. There isn't any similar concept like the U.S. contributory and vicarious liability in the European countries, where – on the other hand – the public law and technological control turned out to be the most effective tool to settle disputes related to file-sharing.

Finally, the interplay of electronic commerce rules and copyright law will be address. As a part thereof the liability for offering e-commerce services, such as linking, hosting (including cyberlockers) or streaming will be discussed. The course introduces the partially different treatment of “safe harbour” provisions of electronic commerce service operators.



The main objective of this course is to provide the students a practice-oriented, analytical aspect on some hot topics of the current (digital) copyright law regimes. The comparative legal aspect allows the students to understand the major differences between the common law and the continental legal systems to be able to study or criticize the different legal solutions. This approach will help the students to use European, American and international copyright law rules in their future career at law firms or at courts, and to undertake independent research on the subject, using both traditional and internet resources.

### **Introduction to the European Law** (3 credits or 1.5 US credits)

The principal objective of this course is to present an analysis of the establishment of the European Communities and then the European Union. In particular, students will be expected to understand the institutional changes brought by the Lisbon Treaty.

This course starts by exploring the pathways for integration in the European Union (EU) and outlining its current structure, the procedure for amending the Treaties and the conditions for accession to the Union. Then, it is necessary to identify the actors that shape the EU and its activities (mainly the institutions of the Union) and to explain the principle of conferral of competences. Finally, the course sets out the decision-making process in the EU, which includes the adoption of legislative acts.

### **The Law and Policy of the WTO** (3 credits or 1.5 US credits)

This course provides an overview of the law of the World Trade Organization (WTO). The emphasis will be put on the dispute settlement system and the “quasi-judicial” function of WTO. Policy considerations will also be highlighted to the extent that they underpin the WTO positive law and its evolution.

At the end of the course, the participants should:

- be sensitized to the various functions fulfilled by WTO institutions and the role they play in globalization and development processes;
- understand the legal principles and concepts around which WTO substantive law is organized;
- be acquainted with the mechanics of WTO dispute settlement as well as the dynamics of the multilateral trade negotiations;
- through case studies and practical exercises, be able to apply the WTO Agreements and understand how they operate;
- have the capacity to undertake independent reading and research on the subject, using both traditional and internet resources.
- have the capacity to develop a reasoned, critical thought on WTO law and institutions.

### **The Law of the EU's Internal Market** (3 credits or 1.5 US credits) The aims of the course are to:

1. Give the students an understanding of European Union law and its trade policy within the broader international framework, focusing notably on internal market issues.
2. Enable students to analyse and discuss contemporary issues of EU law.
3. Provide students with an historical overview of the evolution of the internal market mechanisms.
4. Learning objectives

By the end of the course students should demonstrate:

1. An ability to define the key concepts of EU law: positive and negative integration, harmonisation, quantitative restrictions and measures having an equivalent effect, principle of non-discrimination, public policy justifications, proportionality principle, intra-Community trade, etc.;





2. Knowledge of the key principles underpinning the EU internal market and its freedoms;
3. Knowledge of the rules regulating free movement contained in the Treaty of Rome and subsequent secondary legislation including the rules relating to the free movement of persons;
4. A basic knowledge of the ECJ judgments interpreting the rules governing the four freedoms;
5. An ability to apply their knowledge to hypothetical problems in internal market law;
6. An ability to define and explain problems which have arisen in the course of the evolution of the four freedoms polices regimes.

SPRING SEMESTER – January to April

**Advanced Issues in Business Law: Data Protection** (3 credits or 1.5 US credits)

This courses adresses the following topics:

The fundamental right to personal data protection

1.1. Sources

1.2. Limitations and interaction with other fundamental rights

The General Data Protection Regulation

2.1. Basic concepts

2.2. Guiding principles

2.3 Scope

2.4. Data transfers

2.5. Data subjects' rights

Enforcement mechanisms

3.1. Independent Administrative Supervision

3.2. Courts

**Advanced Issues in Transnational Crime and Criminal Law** (3 credits or 1.5 US credits)

Transnational criminal law, a system of law that covers 'crimes of international concern' or so-called treaty crimes, continues to evolve. It presents interesting conceptual issues, such as the search of its identity as a distinct area of international (criminal) law, and different legal and practical challenges linked to the effectiveness of the actual mechanisms used for cooperation and investigations of crimes across borders.

The course aims to familiarize students with the area of transnational criminal law, with a special focus on the main cooperation mechanisms and procedures and the most important institutions and organizations which enable police and judicial cooperation on both regional and global levels.

The course will address the following topics:

- the concept of transnational criminal law and transnational crimes as a category of offences separate from 'core' international crimes;
- the main categories of substantive offences criminalized in international and regional multi-lateral treaties (e.g. drug trafficking, illicit traffic in cultural property, cybercrime, etc.);
- the role of transnational criminal law in the extraterritorial expansion by states of their jurisdiction in order to suppress transnational crimes;
- procedures and cooperation mechanisms (mutual legal assistance, joint investigation teams, extradition, asset recovery) enabling police and judicial cooperation on international and regional levels;
- institutions and organisations performing different functions within the system of transnational criminal law.

Students are invited to read the required reading material. They will take part in a presentation and the interactive discussions which should allow them to better understand the overall system of transnational criminal law and identify and critically assess practical issues and challenges posed by translational crimes.



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### **Comparative Contract Law** (3 credits or 1.5 US credits)

#### Description

The course introduces students to some important similarities and differences in several basic principles of contract law in France and in the US. Similarities include:

- Shared Western European historical development;
  - Mutual manifestation of assent as the foundation of contractual obligation; and
  - Free will as the basis of contract law.
- Differences include:

Divergent historical development of English common law and continental Civil Law;  
Different meanings assigned to the term “unilateral contract” in each system;  
Cause versus consideration;  
Common law notion of reliance/estoppel;  
Civil law notion of good faith; and  
Treatment of contracts of adhesion.

Reading materials include selected academic commentaries on comparative contract law, US judicial decisions, and US Restatement of Contracts and UCC Sections, as well as English translations of the French Civil Code. In class, ideas will be introduced, applied during class discussion and then applied to written practice exam problems. By the end of the course, students should be able to:

- Recognize the impact of historical and cultural differences on modern American and French contract law;
- Distinguish contract law doctrines that are substantially similar in both American and French contract law from those that differ significantly;
- Write a case brief of an American judicial decision and apply the holding of that case to a hypothetical fact pattern in order to state a legal outcome;
- Identify some of the economic and political forces supporting and opposing harmonization of contract law across national borders and between regions; and
- Relate differences in private law regimes such as contract law to larger questions of the global competitiveness of national economies.

### **Comparative IP Law** (3 credits or 1.5 US credits)

This course aims to prepare students to represent technology startups and multinational enterprises which develop and manage intellectual property portfolio worldwide. Students will learn technology and business practices in biotech, pharmaceutical and high-tech industries and how to deal with legal issues in procuring and enforcing intellectual property at the transnational level. The basic principles and policies of U.S. IP systems with a major emphasis on patent law are explained in comparison with European IP systems.

### **Current Issues in Business Law: Technology Law** (3 credits or 1.5 US credits)

The course will deal with some hot topics concerning tech law, with particular reference to Eu law and American law.

In particular, it will focus on the regulation of the sharing economy, freedom of expression on the internet, the law of the surveillance state, blockchain and smart contracts.

Across the different topics, the course aims at going beyond the description of existing law and case-law, in order to encourage critical reflection and discussion on what is the most preferable approach that the law should follow in dealing with the current technological revolution.

The main goal is to foster the ability of students to engage in a critical analysis of existing and proposed regulations in the tech field, applying what they will learn in the areas covered to all other areas of tech law.



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The comparative approach will help in this endeavor, helping to appreciate the relativity of regulatory approaches.

The take-home exam will be geared towards assessing this ability. It will consist in an essay question, where students will be asked to comment on some excerpts of case-law and/or legal scholarship, making reference to the materials assigned and discussed in class.

### **Environmental Law** (3 credits or 1.5 US credits)

This course is aimed at students with an interest in legal developments in the field of environmental law, climate change policy and energy. No prior knowledge of environmental law is required.

International regulators and global industry is attributing increasing importance to the protection of the environment and this value shift is materialised heavily, amongst others in the energy sector, leading to the development of energy law as an important sub-discipline of environmental law. This course will introduce students to all key areas of international and EU environmental law by tracing legal developments surrounding the use and environmental impact of fossil fuels and nuclear power through to the growth of green technologies. The course will provide students with a basic understanding of international and EU environmental law, the EU energy industry and regulatory regimes and will give an insight into the practicalities of legal work in the energy sector.

### **EU VAT and Customs Law** (3 credits or 1.5 US credits)

International trade in goods and services triggers significant tax consequences in the field of indirect taxes. Doing business in or with the European Union must necessarily take them into account. As a result of a successful integration process, there exists now a unified (customs) or harmonised (VAT) body of rules governing indirect taxes within the EU. Taking the course will therefore permit the student to understand the rules applicable in the 27 EU countries at the same time. In doing so, special attention will be given to the 2013 Regulation laying down the Union Customs Code and the 2006 Value Added Tax (VAT) Directive.

This course is aimed at providing the students with a working knowledge of the fundamental concepts of EU Customs and VAT rules. Its objective, as an introductory course, is not to train tax specialists but to make students, interested in business law, receptive to cross-border tax issues in the field of indirect taxation. The course does not require any prior background in domestic (national, federal or state) taxation.

### **European and Comparative Private International Law** (3 credits or 1.5 US credits)

During the course, we shall be focusing on the institutional development of private international law in the European Union, its role in the internal market and some of the instruments which have been adopted since the Community first acquired specific power in this field thanks to the Amsterdam Treaty.

The course will be taught in English and students should have a sufficiently good grasp of the language to be able to follow the lectures, participate actively in discussion and sit a written examination.

### **Institutional Law of the EU** (3 credits or 1.5 US credits)

This course will study the institutions of the European Union under a dynamic and comparative angle. It will provide students with a thorough knowledge of what may seem as static concepts, but which in reality are the living constitutional structures of what is neither an international organization neither a State.



Students will learn to decipher the institutional provisions of the EU Treaties, the role and competences of each institution while understanding the interplays between them. We will examine in detail the structure, functioning and the everyday decisional process of each EU institution while studying interactions between the three constitutional branches mainly through analysis of the EU legislative procedure.

Parallels between the functioning of the EU, the United States of America and EU Member States will be drawn to better grasp the similarities and differences that form the specific legal characteristics of the EU in comparison to different forms of constitutional federalism.

Critical examination of generic media shared impressions of how the EU functions and its “democratic deficit” is going to be at the heart of this course’s analysis, furthermore improving participant’s capacities to think systematically/constitutionally about the EU Treaties and institutions enabling them to develop their own considered views.

Student active participation is expected and encouraged, by asking questions throughout the class, as well as interdisciplinary approaches and examples.

### **International and Comparative Competition Law** (3 credits or 1.5 US credits)

Course description and objectives:

The purpose of the course is to focus on jurisdictional issues resulting from the implementation of domestic competition rules to international operations and anticompetitive behaviors.

Thus, the course will consider certain aspects of competition law and policy, including the application of the provisions dealing with:

- Cartels (Article 101 of the Treaty on the Functioning of the European Union, “TFEU”),
- Abuses of dominant position (Article 102 of the TFEU),
- and some aspects of Mergers (Regulation (EC) No 139/2004).

In doing so, the course will insist on the following specific topics:

- Extraterritoriality,
- Effects doctrine,
- International cartels,
- Leniency policy,
- Relevant market concept,
- National champion theory,
- Bilateral agreements on the application of competition law, and the two generations of cooperation agreements, and
- International instruments dealing with competition rules and policy (International Competition Network (ICN), and the postponed calendar for a multilateral -or rather plurilateral- agreement within the WTO framework).

Contrasts between E.U. Competition Rules and U.S. Antitrust Law will be drawn.

Competition cases having an international dimension will illustrate the discussion, such as:

the Boeing/Mc Donnell Douglas merger,  
the Vitamins Cartel case,  
the European Microsoft decision, and  
the more recent Intel and Google cases.

### **International Business Law** (3 credits or 1.5 US credits)

The course covers the followings topics:

Introduction and Overview; What is Corporate Law? What is Capital Markets Law? What law governs?



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Read:

Agency Problems and Legal Strategies

Regulatory Harmonization vs. Regulatory Competition

Internal and External Corporate Finance

Bonds and the Bond Market

Investor Compensation / Civil Liability

### **International Investment Arbitration** (3 credits or 1.5 US credits)

In 1965, the World Bank adopted the Washington Convention, establishing the International Centre for Settlement of Investment Disputes (ICSID), and allowing private parties to resort directly to international arbitration against States for harm done to their investments. Since then, as a result of the wide adoption of bilateral and multilateral investment protection treaties, there has been an outbreak of investor-State arbitrations that neither the drafters of the Convention nor the international community at large had anticipated.

This course will explore where investment treaty arbitration stands today, after over two decades of blooming and growth. In particular: How has the arbitral case law tackled the most complex questions of international law? To what extent has the interplay between international arbitration and international law nourished each of these fields of law? How have other legal orders, notably the EU legal order, reacted to rise of international investment disputes?

During the course, these questions will be addressed through a deep immersion into the investment arbitration process, including an examination of the concepts of jurisdiction and admissibility (notion of investment; nationality of investors, both physical and juridical persons; temporal application of treaties; abuse of process; etc.); the interaction between contractual and treaty breaches; treaty interpretation; and strategic options in investor-State arbitration.



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