

University of Haifa
Faculty of Management
International MBA Program
2017

International Business and Antitrust Law

Dr. Hila Nevo (nevohila@gmail.com)

General:

The course focuses on commercial and antitrust aspects of private transactions of a cross-border nature. Along the course, participants are introduced to the most prominent competition-law issues pertinent to international business-making, and are provided with a useful set of tools and relevant legal guidelines.

Method of Evaluation:

Final (closed-books) exam: 90%.

Class attendance and participation: 10%

Course Outline:

Topic 1: Basic foundations of International Business

Economic interdependence and the global marketplace; different forms of international trade; international law and institutions; the World Trade Organization (WTO); UNCITRL (United Nations Commission on International Trade Law) model laws; Incoterms; commercial dispute resolution mechanisms.

Preliminary reading materials:

- *Frigalimont Importing Co., Ltd. v. BNS International Sales Corp.*, 190 F.Supp. 116 (S.D.N.Y. 1960), available at: <https://law.justia.com/cases/federal/district-courts/FSupp/190/116/1622834/>
- *Filanto v. Chilewich*, 789 F. Supp. 1229 (1992), available at: <http://www.cisg.law.pace.edu/cases/920414u1.html>
- United Nations Convention on Contracts for the International Sale of Goods, 1988 (“CISG”), available at: <http://www.cisg.law.pace.edu/cisg/text/treaty.html>
- ICC Incoterms 2000, 2010.

Topic 2: International Transactions and Antitrust

General antitrust framework; antitrust laws governing international transactions; cross-national mergers; extraterritoriality and the effects doctrine.

Preliminary reading materials:

- Case COMP/C-3/37.792 *Microsoft* (Commission decision of 24 March 2004), available at: http://ec.europa.eu/competition/antitrust/cases/dec_docs/37792/37792_4177_1.pdf
- Case COMP/M.2220 *GE/Honeywell* (Commission decision of 3 July 2001), available at: http://ec.europa.eu/competition/mergers/cases/decisions/m2220_en.pdf
- Director, *Selective Perfume Market - James Richardson* (1999), available at: <http://archive.antitrust.gov.il/ANTItem.aspx?ID=2502&FromSubject=&FromYear=2011&FromPage=0>