

International and Comparative Contract Law
Lectures by Professor Larry A. DiMatteo
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Friday, 29 September 2017

Lecture 1 (80 Minutes)

International Sales Law: United Nations Convention on the International Sale of Goods CISG. The CISG is the law of the Ukraine and 84 other countries including 24 of 28 EU countries. Students will be introduced to the structure, coverage, and jurisdiction of the CISG and the reasons for studying the CISG. Since the CISG combines civil and common law concepts all the lectures will discuss the major differences between the two legal systems in the area of contract law.

Lecture 2 (80 Minutes)

International Sales Law: Issues covered include formation of contracts, incorporating standard terms, breach and performance. Topics discussed include the different ways contracts are formed, the battle of the forms scenario, whether standard terms are part of the contract, what constitutes a breach versus what is adequate performance?

Saturday, 30 September 2017

Lecture 3 (80 Minutes)

International Sales Law: Issues covered include remedies, damages, exemption from liability, and contract interpretation. The issue of specific performance and the calculation of damages will be discussed, as long as the excuse doctrines of *force majeure* and hardship. Most importantly, the different ways contracts are interpreted will be discussed and how that knowledge can be used to draft better contracts.

Lecture 4 (80 Minutes)

Comparative Contract Law: The rules of the CISG will be compared to the German BGB and the American UCC and common law. The concepts of breach, good faith, hardship, unconscionability, nachfrist notice, among others will be discussed.

Lecture 5 (80 Minutes)

International Contracting: This class will review court cases involving contract interpretation. Students will be asked how they would interpret the facts of each case and why? The case decisions and reasoning of the courts will be analyzed. Students will then be asked what they would have done differently to prevent the misunderstanding behind the disputes. The students

will also be introduced to the concept of “strategic contracting” related to long-term contracting, joint venture agreements, and contracts for innovation.

Teaching Methodology

Various methods of teaching will be used based upon a lecture-discussion format. Students should read the materials that will be provided prior to class so that they can participate in group and class discussions. The instructor will pose questions to the class to generate additional discussion. Also, students will be divided into groups and given problems to discuss within the group and then the problems will be discussed by the entire class. The instructor will also make use of PowerPoint presentation that will be made available to the students prior to the class.