

BACHELOR PROGRAMME  
INTERNATIONAL TRADE LAW/ INTERNATIONAL COMMERCIAL LAW  
4TH YEAR OF STUDY, 2ND SEMESTER

COURSE TITLE	INTERNATIONAL TRADE LAW/ INTERNATIONAL COMMERCIAL LAW
COURSE CODE	
COURSE TYPE	full attendance
COURSE LEVEL	1st cycle (bachelor's degree)
YEAR OF STUDY, SEMESTER	4th year of study, 2nd semester
NUMBER OF ECTS CREDITS	5
NUMBER OF HOURS PER WEEK	3 (2 lecture hours + 1 seminar hours)
NAME OF LECTURE HOLDER	Professor Carmen Tamara UNGUREANU
NAME OF SEMINAR HOLDER	Associate assistant Răzvan Ștefan TATARU
PREREQUISITES	Private international law
<b>A</b>	<b>GENERAL AND COURSE-SPECIFIC COMPETENCES</b>
	<p><b>General competences:</b></p> <ul style="list-style-type: none"> <li>- Awareness of the role and place of international trade law in international trade relations.</li> <li>- Understanding the strategies used on the international market.</li> <li>- Use of international trade/commercial law knowledge in coping with practical issues.</li> </ul> <p><b>Course-specific competences:</b></p> <ul style="list-style-type: none"> <li>-The ability to qualify a legal situation as one that falls into the field of international trade law.</li> <li>-Determining the competent national jurisdiction or arbitration court and the applicable law for dealing with an international trade law dispute.</li> <li>-Identifying the sources of international trade law and the participants in international trade.</li> <li>-Understanding and using clauses in international trade contracts.</li> <li>-The ability to understand and interpret the content of international trade contracts.</li> <li>-The ability to identify and understand the rules applicable to different types of international trade contracts.</li> <li>- Understanding how to use financial instruments in international trade.</li> </ul>
<b>B</b>	<b>LEARNING OUTCOMES</b>
	<p>Upon successful completion of this discipline, students will be able to:</p> <ul style="list-style-type: none"> <li>- Qualify a private international law relation as part of international trade/commercial law issues.</li> <li>- Identify the participants in the international trade/commercial activity.</li> <li>- Explain how to conclude, interpret and perform an international trade/commercial contract.</li> <li>- Describe the steps that a lawyer/judge/arbitrator must follow in order to reach a solution of an international trade/commercial law dispute.</li> <li>- Use the rules applicable to different types of international trade/commercial contracts</li> <li>- Analyze the conditions under which international trade operations can be financed and identify the means of financing and payment.</li> </ul>
<b>C</b>	<b>LECTURE CONTENT</b>
	<ol style="list-style-type: none"> <li>1. The sources of international trade/commercial law.</li> <li>2. Participants in the international trade/commercial activity.</li> <li>3. Applicable law in international trade/commercial disputes.</li> <li>4. The competent national court for international trade disputes.</li> <li>5. Arbitration in international trade.</li> <li>6. International trade/commercial transactions. Precontractual phase.</li> <li>7. International trade/commercial transactions. Contractual phase. Common clauses in international trade/commercial contracts.</li> <li>8. International sale of goods contract.</li> <li>9. International agency contract. International distribution contract. International franchising contract.</li> <li>10. International transportation agreements.</li> <li>11. International trade contracts regarding intellectual property rights. International know-how contract. International license agreement. International consulting-engineering contract. International joint venture agreement.</li> <li>12. Financing of international trade operations. Payment mechanisms.</li> </ol>

	13. Financing of international trade operations. International lease agreement. International factoring contract 14. Special issues: Third party litigation funding (TPLF) contract. Cloud computing contract. Summarising. Questions. Caselaw.
D	RECOMMENDED READING FOR LECTURES
	<p><i>In Romanian:</i></p> <ol style="list-style-type: none"> <li>1. Carmen Tamara Ungureanu, <i>Dreptul comerțului internațional</i>, Editura Hamangiu, București, 2018.</li> <li>2. Ioan Macovei, <i>Tratat de drept al comerțului internațional</i>, Editura Universul Juridic, București, 2014.</li> <li>3. Dragoș-Alexandru Sitaru, Claudiu-Paul Buglea, Șerban-Alexandru Stănescu, <i>Dreptul comerțului internațional, Partea Specială</i>, Editura Universul Juridic, București, 2009.</li> <li>4. Dragoș-Alexandru Sitaru, <i>Dreptul comerțului internațional – Tratat – Partea generală</i>, Ed. Universul Juridic, București, 2008</li> <li>5. Dumitru Mazilu, <i>Tratat privind dreptul comerțului internațional</i>, Editura Universul Juridic, București, 2011.</li> </ol> <p><i>In English:</i></p> <ol style="list-style-type: none"> <li>1. Indira Carr, Peter Stone, <i>International Trade Law</i>, Routledge, London, 2014</li> <li>2. Fouchard, Gaillard, Goldman On <i>International Commercial Arbitration</i>, Kluwer Law International, The Hague, 1999.</li> <li>3. Trevor C. Hartley, <i>International Commercial Litigation</i>, Cambridge University Press, UK, 2009.</li> <li>4. Mary Keyes, Therese Wilson (editors), <i>Codifying Contract Law. International and Consumer Law Perspectives</i>, Ashgate Publishing, USA, 2014</li> </ol>
E	SEMINAR CONTENT
	The seminar activity means, first of all, the understanding of the theoretical notions taught at the course, by means of explanations, with reference to different cases from practice. Also, at the seminar, knowledge testing is carried out, through tests, in which the students are expected to prove that they have understood the theoretical notions and, therefore, can apply the theoretical knowledge in practice.
F	RECOMMENDED READING FOR SEMINARS
	The seminar holder is to determine the material that should be covered and the additional sources that should be consulted (except for the ones recommended by the lecture holder), depending on subject and interest of the students. The seminar holder is to provide some caselaw photocopies for each seminar and discuss them in class.
G	EDUCATION STYLE
LEARNING AND TEACHING METHODS	Interactive teaching, using mainly powerpoint presentations and explanations. Active participation is encouraged. Students are stimulated to perform short presentation at seminars on a predetermined subject.
ASSESSMENT METHODS	Oral Examination at the end of semester-70% and tests during the semester -30%
LANGUAGE OF INSTRUCTION	Romanian. For Erasmus students could be taught some courses in English (by request).