

## International Business Negotiations (B001689)

**Course size** *(nominal values; actual values may depend on programme)*

**Credits 4.0**

**Study time 120 h**

**Contact hrs**

30.0h

**Course offerings and teaching methods in academic year 2022-2023**

A (Year)

English

Gent

group work	3.75h
guided self-study	2.5h
lecture	5.0h
practicum	5.0h
PDE tutorial	3.75h
integration seminar	3.75h
seminar: coached exercises	3.75h
online discussion group	2.5h
seminar	1.25h

**Lecturers in academic year 2022-2023**

De Wulf, Hans

RE21

lecturer-in-charge

**Offered in the following programmes in 2022-2023**

[Master of Laws in Laws](#)

[Exchange Programme in Law](#)

crdts	offering
4	A
4	A

**Teaching languages**

English

**Keywords**

negotiating in an international commercial context

**Position of the course**

This course is offered as part of the skills component ("vaardigheden IV") at master level. The purpose is to allow students to negotiate, in team, with a team of foreign students about an international business deal. Major goals of the course are: to stimulate students to look at such deals from other than purely legal angles, e.g. including attention for strategy; to teach students negotiating skills by allowing them to engage in realistic negotiations; to contribute to their sensitivity for intercultural issues that play a role in such settings and therefore to contribute to attitudes that incorporate such sensitivities.

**Contents**

This course teaches hands-on, real world, international negotiation skills in a simulated negotiation. The negotiations will take place through written exchanges and live negotiations conducted via videoconference.

The course will provide students with an opportunity to: (i) experience the sequential development of a business transaction over an extended negotiation; (ii) study the business and legal issues and strategies that impact the negotiation; (iii) gain insight into the dynamics of negotiating and structuring international business transactions; (iv) learn about the role that lawyers and law play in these negotiations; (v) give students experience in drafting communications; and (vi) provide negotiating experience in a context that replicates actual legal practice with an opposing party.

You will represent will represent an African agricultural production company, Malundian Cassava Corporation (MCC). Your negotiation counterparts will be law

students at a foreign University, who will represent a US-based pharmaceutical company, KJH Pharmaceutical Corporation (KJH). The two companies are interested in working together to exploit a new technology developed by KJH Pharmaceutical that uses the cassava (manioc, yucca) produced by MCC. The form of their collaboration could be a joint venture, a licensing agreement or a long term supply contract.

Students are expected to spend time working outside of class to prepare for class discussions involving the written exchanges as well as to prepare for the live negotiations. Class discussions will focus on the strategy for and progress of the negotiations, the written communications to the other party, and the substantive legal, business and policy matters that impact on the negotiations.

#### **Initial competences**

A decent knowledge of English that enables students to negotiate with native speakers in English and to draft business reports in English.

A basic knowledge of some very basic principles concerning contract law and company law is helpful.

#### **Final competences**

- 1 knowledge of the legal aspects of international commercial cooperation, esp. about joint ventures and licensing agreements
- 2 -basic negotiation skills in an international, multicultural context
- 3 strategic attitude and insights required for such negotiations
- 4 being aware about, and ability to handle, cross-cultural sensitivities that arise during international commercial negotiations
- 5 insight into the role of law and lawyers in such a context, including the need to strike a balance between defending the interests of the client and the need to respect deontological and moral rules
- 6 An increased ability and aptitude in/for professional communication
- 7 being able to cooperate within a team of negotiators and lawyers

#### **Conditions for credit contract**

Access to this course unit via a credit contract is unrestricted: the student takes into consideration the conditions mentioned in 'Starting Competences'

#### **Conditions for exam contract**

This course unit cannot be taken via an exam contract

#### **Teaching methods**

Practicum, Online discussion group, Group work, Guided self-study, Seminar, Lecture, Pde tutorial, Seminar: coached exercises, Integration seminar

#### **Extra information on the teaching methods**

These are apparent from the sections in this file on "content" and "details of evaluation formats". Oral skills are central to the course, and the oral negotiations are of course the most central "teaching" format. But students also have written assignments: the three memos which can be regarded as reports. Students will have to draft the outline of (written) contract clauses. Group discussions (preceding negotiations, about strategy and contract clauses) are also central.

#### **Learning materials and price**

mandatory coursebook D. Bradlow and J. Finkelstein, "Negotiating Business Transactions: An Extended Simulation Course" (Wolters Kluwer, Aspen Coursebook Series)

slides accompanying introductory classes

#### **References**

see learning material

#### **Course content-related study coaching**

The teacher acts as a coach, offering very intense guidance to students. He helps them not only during the twice weekly meetings (negotiations and preparatory meeting) but is also on call on a daily basis if students need his help.

#### **Assessment moments**

continuous assessment

### Examination methods in case of periodic assessment during the first examination period

### Examination methods in case of periodic assessment during the second examination period

### Examination methods in case of permanent assessment

Simulation, Report, Participation, Assignment

### Possibilities of retake in case of permanent assessment

examination during the second examination period is not possible

### Extra information on the examination methods

Grading in this course has four components:

1 Student Memos (3) (20%)

2 Negotiations (55%)

3 Class Participation (25%)

To successfully complete this class, students must meet the following requirements:

1) Active participation in: (i) class discussions regarding the preparation of the written exchanges in the negotiations; (ii) the live negotiations; and (iii) class analysis of the process and progress of the negotiations. This includes serving as part of the negotiating team in charge of designated written communications and video conferences during the simulation exercise. The functions of the negotiating team include: (i) preparing, with class input, a draft communication for the class to consider as it develops its next communication to the other party; (ii) presenting the strategic thinking and rationale leading to the draft written communications and responding to class discussions on these matters; and (iii) preparing and submitting the final communication to KJH in a timely manner.

2) Each student must submit a memo **in electronic and hard copy** after the first three negotiation sessions of the main issues addressed to the president of MCC. The memo should address the progress of the negotiations up to and including the most recent negotiation session, the strategy employed thus far and going forward to resolve the outstanding, key issues. **Each memo should be no more than 350 words and should be submitted in electronic and hard copy to the professor at the time indicated.**

### Calculation of the examination mark

1 Student Memos (3) (20%)

2 Negotiations (55%)

3 Class Participation (25%)

Students must participate in each component in order to pass the course

### Facilities for Working Students

Students who, because they have a job, cannot take part in all sessions cannot take part in this course