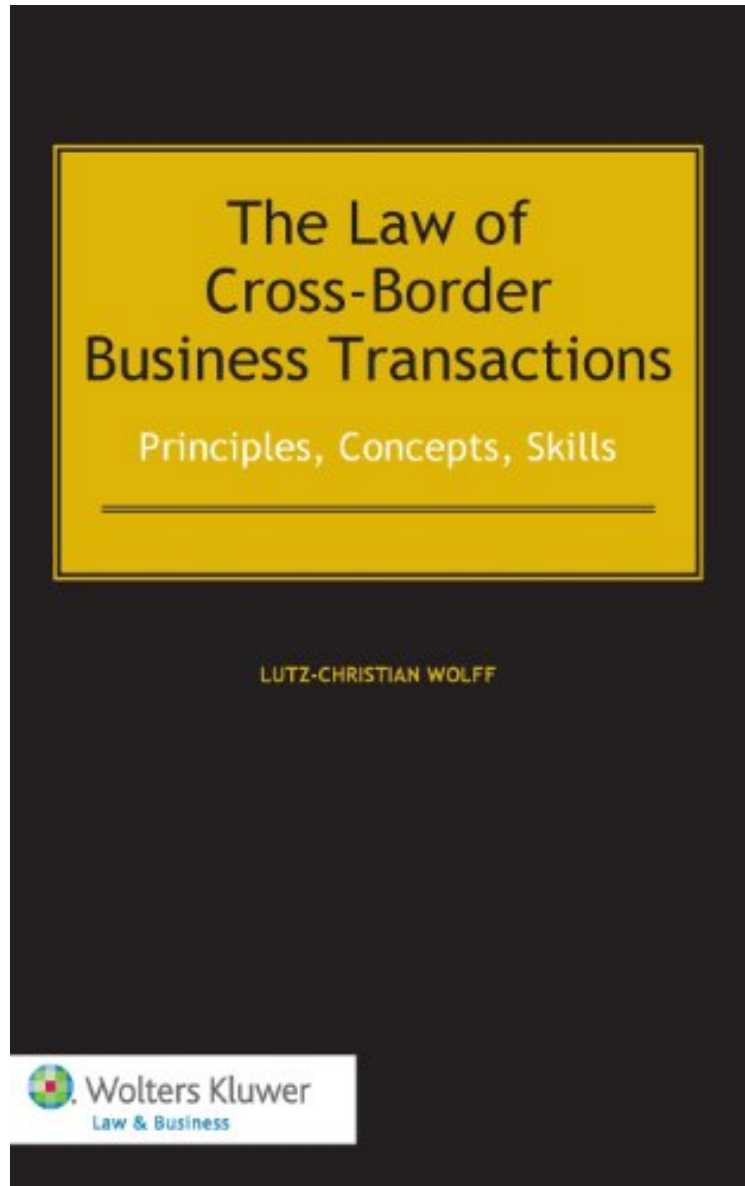


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The Law of Cross-Border Business Transactions. Principles, Concepts, Skills

Lutz-Christian Wolff

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0 of 0 people found the following review helpful. Universal guide on the law of cross-border business transactions

By Legal AbstractBooks, like a present book, are intended for general use. They do not encompass specific area of law; they provide information on general issues. Such books cannot be called either handbooks or sourcebooks. Professor Lutz-Christian Wolff, the author of the book, did a tremendous job. He collected all information, regarding cross-border transactions one by one and summarized in one book. Certainly, this book is more of practical use since it was written by practitioner for practitioners. Academic scholars, interested in cross-border transactions, should rather consult the specialized works on specific areas of law. The author of present book selectively chose only those areas, which are relevant from practical point of view. The most important part of the book is where author discusses the practice of international commercial contracting, including detailed description of their structure and process of contract drafting. It is zest of the book, because upon discussion of questions, related to contract drafting, the author thought it was necessary to describe the problems, related to punctuation, numeration, headers and text style. It is rarely seen in law books, where major attention is paid to legal details rather than technical. The author also contrives to discuss international trade regimes, including WTO, EFTA, OECD and everything that belongs to the domain of international economic law, hence public international law. Such an all-encompassing book in the area of international commercial law. Certainly, the author pays considerable attention to the discussion of contracts, regulated by such famous international instruments as Vienna Convention on contracts of international sale of goods 1980 and Incoterms 2010. Besides, he separately discusses issues pertaining competition law, company law, taxation and foreign investment law. So to say, full bouquet containing all areas, which may be of use for international legal practitioner. The decoration of text in the book is also impressive. In most cases, the author allocates problematic points into "For discussion only" box, which in turn does not allow the reader to fall asleep and immediately points to serious issues, discussed in the chapter. The insertion of bullet points into the text also allows reader to concentrate on discussed problem and sum up the chapter. The presence of checklists throughout the book also facilitate your work with trans-border transactions, since it allows to conduct gap analysis, identify gaps and fill them on time. One feature of the book, however, is a bit frustrating. There are virtually no references to case law. It does not mean there are no references at all; there are some, but rare. There are more references to statutes and academic writing. The Schmithoff's Export is leading among them but it is not surprising. I strongly recommend this book to all lawyers, who are dealing with trans-border transactions, including investment contracts, service contracts. The book will be also useful for those non-English lawyers, who study legal English and work with international commercial contracts. Besides, it may be of great use for those who draft sophisticated contracts. Aibek S. Ahmedov, partner at Korelsky Ishuk Astafyev and Partners, founder of Legal Abstract law review service.

As cross-border business transactions are nowadays routine matters for business entities all over the world, the related legal aspects are becoming more and more complex. This book provides a structured introduction to the law and practice of investment deals (e.g. greenfield projects, MAs and hybrid forms) and of non-investment transactions (e.g. trade, technology transfer and services). Substantive law issues, procedural aspects, and skills related considerations such as contract drafting, structuring options and cross-cultural lawyering techniques are included, adding up to an unusually comprehensive and useful guide in the field. Recognizing that cross-border business projects can take very different forms depending on the parties' strategic choice, the factual background and the applicable law, the author describes a wide spectrum of transaction types. He explores underlying principles from a conceptual and a comparative point of view with a focus on transactional issues, using case studies from a variety of jurisdictions to demonstrate the significance of particular aspects. Among much else, topics include the following: international lawyering and cultural diversity; lex mercatoria; conflict of laws; letters of intent, position papers, heads of agreement, confidentiality and exclusivity agreements; structure and contents of international contracts; e-contracts; protection of intellectual property rights and technology transfer; trade, countertrade and trade financing; insurance; agency and distributorship; greenfield investments and MA; competition law and merger control; employment law; corporate governance and corporate social responsibility; international taxation; and dispute settlement and cross-border enforcement of awards. Of special value is the author's precise guidance on drafting techniques and contract practice. The clarity of the presentation, the uncompromising consistency in terms of structure and a large body of references to primary and secondary sources ensure that legal professionals, business managers and academics as well as other interested parties.