

## 60748 - Commercial Practice

### Syllabus Information

**Academic Year:** 2019/20

**Subject:** 60748 - Commercial Practice

**Faculty / School:** 102 -

**Degree:** 522 - Master's in Legal Practice

**ECTS:** 6.0

**Year:** 1

**Semester:** Annual

**Subject Type:** Compulsory

**Module:** ---

### 1.General information

#### 1.1.Aims of the course

#### 1.2.Context and importance of this course in the degree

#### 1.3.Recommendations to take this course

### 2.Learning goals

#### 2.1.Competences

#### 2.2.Learning goals

#### 2.3.Importance of learning goals

### 3.Assessment (1st and 2nd call)

#### 3.1.Assessment tasks (description of tasks, marking system and assessment criteria)

### 4.Methodology, learning tasks, syllabus and resources

#### 4.1.Methodological overview

#### **The learning process designed for this course is based on:**

Starting from the premise that the students of the Master are university graduates in law, it is presumed that they already have the theoretical knowledge of the subjects of their degree, so the course will not focus on the explanation of theoretical issues, without prejudice to clarifications and discussions of this nature that may arise during the resolution of the practical cases. Therefore, the course will focus on the practical skills which are necessary to apply the theoretical knowledge.

However, it is recommended that the students, before proceeding with the resolution of the cases raised in each module, consult and revise the essential theoretical concepts in any commercial or procedural law manual. There is a non-exhaustive enumeration of manuals in the bibliography section. At the

beginning of the course, a calendar will be delivered with the topics that will be discussed in each session.

It is required that the students attend the class with the materials and current commercial legislation that may be applicable.

The solutions proposed by the students will be exposed and debated in class. The professor will enhance the use of legal concepts and the correct reasoning.

#### **4.2.Learning tasks**

The program offered to the student to help him achieve the expected results includes the following activities:

In accordance with section 5.5.1.6 ACTIVIDADES FORMATIVAS, of the Master's Report, the activities of this subject consist of dynamic activities between the professor and their students, through the resolution of practical cases proposed in class. This includes the preparation and resolution of the cases, their presentation in class, analysis and defense of the proposed solutions and participation in debates, where the student will have to argue and support his proposals.

#### **4.3.Syllabus**

##### **I. Undertakings and economic activity. Competition law**

1. Industrial and intellectual property rights
  - 1.1 Enforcement and protection of industrial and intellectual property rights
  - 1.2 Contracts on industrial and intellectual property rights
  - 1.3 Felonies against industrial and intellectual property rights
2. Competition Law
  - 2.1 Freedom to compete (antitrust, mergers' control and state aids)
  - 2.2 Unfair competition

##### **II. Company law**

1. Company's constitution
2. The members of a Company. Transfer of shares
3. Amendment of the corporate bylaws. Increase and reduction of share capital.
4. Shareholders' agreements
5. Company's general meeting. Challenges to corporate agreements
6. Directors
7. Dissolution and liquidation
8. Transfer operations of undertakings.

##### **III. Commercial and business contract law**

1. Commercial contracts
2. Negotiable instruments: bills of exchange, cheques and promissory notes
3. Consumer Law and collective protection

#### **IV. Insolvency law**

1. Insolvency proceeding and its alternatives
2. Effects of the bankruptcy declaration
3. Insolvency administration
4. Termination of the insolvency procedure: convention and liquidation
5. Non-guilty and guilty bankruptcy. Liabilities.

#### **4.4.Course planning and calendar**

The planning and scheduling of sessions and tasks will be specified by the professors in charge of this subject at the beginning of the course according to the academic calendar and the syllabus of the Law Faculty.

The schedules can be consulted in the address: <https://derecho.unizar.es/sites/derecho.unizar.es/files/archi>

#### **4.5.Bibliography and recommended resources**