

**VERY IMPORTANT:**

**Courses:** class attendance is mandatory. Students who miss more than three meetings of a semester course, or more than five sessions of an annual course, or attended less than 75% of the meetings in condensed courses, will not be eligible to take the final exam.

**Workshops and Seminars:** class attendance is mandatory

## YEARLONG

**Seminar: Labor Approach to Human Trafficking**

**Dr. Hila Shamir - TAU**

**Credits: 4**

**Course number: 1411745101**

**Time: YEARLONG**

**Course description:**

Human trafficking has attracted unprecedented attention in the past two decades and has been subject to extensive academic inquiry. Despite this, the diverse legal instruments developed to combat human trafficking, as well as the large body of scholarship dedicated to its research, have generally come short in identifying and targeting the institutional structures that enable trafficking and that turn this phenomenon into one of the pressing moral and political challenges of today's global economy. Common anti-trafficking approaches focus on criminalization of trafficking, strict border controls, and ex-post measures to assist and protect the human rights of victims of trafficking. The assistance provided through these tools reaches an alarmingly small number of individuals, leaving the rest of the traffickers and trafficked population largely unaffected.

In this seminar we will study, explore and develop a complementary anti-trafficking approach: a labor approach to trafficking. The labor approach focuses on market inequalities between employers and employees, and seeks to devise ways to transform the bargaining playing field. Such transformations can occur through traditional unionization of workers or through other means that address structural causes of inequality and worker vulnerability such as regulation of recruiters, migration regime reforms, encouraging corporate responsibility to severe forms of exploitation, and guaranteeing rights of workers in labor sectors vulnerable to trafficking through effective application and enforcement of protective legislation. In this seminar students will be introduced to the legal concept of human trafficking in international law and the history that led to its current legal formulation, study the most common anti-trafficking policy approaches and best practices around the world, and focus on a labor responses to human trafficking.

Students will be required to submit response papers, actively participate in class, develop a research project and write a final seminar paper that builds on the theoretical tools and concepts acquired in the class. The first term will be dedicated to in-class lectures and discussions, and the second term will be dedicated to guest lectures and to students presentations. The course is

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informed by the research of the TraffLab ([www.trafflab.org](http://www.trafflab.org)) research project (ERC), and some of the guest lectures are by TraffLab fellows.

**Grade Components:** 70% Final Research paper, 10% Response papers, 10% In Class Presentation, 10% In Class Participation.

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## FALL SEMESTER

**Seminar: Information Technology Law**

**Prof. Michael Birnhack - TAU**

**Credits: 4**

**Course number: 1493102401**

**Time: FALL SEMESTER**

**Course Description:**

The law regulates, or attempts to regulate information flows in various ways. When we commodify it, it is intellectual property. When the government or others limit the flow, it is a matter of freedom of expression. When we wish to control the data about ourselves, it is a matter of privacy. The seminar will discuss various issues related to the complex intersection of law and information technology. We will not discuss IP, which is discussed in other courses. We will focus on issues such as freedom of speech, the rise of new intermediaries, ISP liability, privacy and data protection. The seminar has two goals. First, to better understand the relationship between law and technology by exploring several case studies, on the topics mentioned above. Second, to practice academic legal research and writing. We shall meet for 12 classes during the fall semester, each of 2 hours and 30 minutes (with a break). Students will be required to submit a one page proposal within a month. Towards the end of the term students will present their research.

**Grade Components:** 80% Final Paper, 20% active participation and presentation of work

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**Workshops and Seminars:** class attendance is mandatory

**Workshop: Law & Technology**

**Prof. Michael Birnhack - TAU & Prof. Assaf Jacob - IDC**

**Credits: 3**

**Course number: 1411700501**

**Time: FALL SEMESTER**

**Course Description:**

Digital networks have an almost infinite number of speech opportunities, communications, commerce and more, but also posed substantial challenges of copyright infringement, privacy violations, harm to one's reputation, terrorist activity, scams and more. What is the relationship between law and information technologies? This is the topic of the workshop. We will discuss these issues by way of critically reading yet-unpublished works in progress on cutting-edge topics, written by leading scholars in Israel and abroad, and discussions the papers with the authors.

This is an advanced seminar, and assumes prior familiarity with the general themes of law and technology (please see pre-requisites). The workshop invites experts from Israel and abroad to present their current work, from law and other relevant disciplines. Students will be required to read papers in advance, comment in writing, participate in classes, and comment in the workshop itself.

**For foreign / exchange students:** students in the Law & Technology track of the International LL.M program are expected to take the workshop. Exchange and other foreign students should meet the prerequisite of having studied at least one course on internet law / cyberlaw / intellectual property / digital privacy. In case of doubt, please contact Prof. Birnhack *prior* to registration.

**Grade Components:** 70% written comments, 20% active participation, 10% oral comments.

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**Workshops and Seminars:** class attendance is mandatory

## FALL SEMESTER - FIRST QUARTER

**Course: Environmental Justice: Stories and Struggles**

**Prof. Jagteshwar Singh Sohi - NALSAR University of Law**

**Credits: 2**

**Course number: 1411756450**

**Time: FIRST QUARTER**

**Course Description:**

A course on environmental law taught at any law school tends to focus on reading this rather wide-ranging field through statutes, case laws and policy-guidelines laid down by the state. This exercise is of immense importance and allows the student to form an understanding of the compliance regime put in place to protect the environment. However, it seldom engages with the stories that form the backdrop of these cases and legislations she studies in the classroom. These stories are replete with powerful visuals of the natural world coming under siege from an ever-encroaching world of artefacts in form of extractive industries and other developmental endeavors such as hydro-electric projects etcetera. It is important to bring out the role played by laws and legal actors in making such changes possible. Through an in-depth telling of two such story, the student shall be introduced to key terms, ideas and theoretical materials that inform the field of environmental justice. This short course attempts to move the conversation from the realms of law to that of justice; and to teach about justice by showcasing injustice.

The students shall be required to develop a paper around an environmental justice story of their interest from anywhere around the world.

**Prerequisites:** A basic course in Environmental law should suffice. A genuine curiosity to look at issues of socio-environmental struggles would be greatly appreciated.

**Grade Components:**

15% - 1/t2-page skeletal draft of the story student wishes to work on

15% - 8/10-minute presentation of the story for benefit of peers

70% - Final Paper (2500-3500 words)

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**Workshops and Seminars:** class attendance is mandatory

**Course: International Commercial Arbitration**

**Prof. Hanns-Christian Salger - University of Frankfurt**

**Credits: 2**

**Course number: 1411756350**

**Time: FIRST QUARTER**

**Course Description:**

The course will teach the legal and practical aspects in international commercial arbitration with a view on the civil law/common law divide and how it is overcome by "best practice". The topics include arbitration agreements and clauses; ad hoc and institutional arbitration; selection and challenge of arbitrators; conduct of arbitration proceedings; taking of evidence; enforcement of awards. The New York Convention and IBA Rules will be covered as well as national procedural rules (in particular German, English and US law). The exam will be partly multiple choice and partly essay (drafting exercise).

**Prerequisites:** Basic knowledge of civil procedure

**Grade Components:** 100% In-Class (without Books)

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**Workshops and Seminars:** class attendance is mandatory

**Course: Mergers and Acquisitions - A Real Life Experience**

**Adv. David Friedman – Skadden, Arps, Slate, Meagher & Flom LLP**

**Credits: 2**

**Course number: 1411751850**

**Time: FIRST QUARTER**

**Course Description:**

This course is designed for those students interested in learning the practical skills needed to be a mergers and acquisitions (M&A) lawyer and will be taught by M&A practitioners -- David J. Friedman, who was trained at the international law firm of Skadden, Arps, Slate, Meagher & Flom LLP, and Dan Shamgar and Shira Azran from the Israeli law firm of Meitar | Law Offices. The course, which will be taught in English, aims to give students hands-on experience in drafting and negotiating M&A transactional documents, while at the same time providing students with an understanding of contract architecture, corporate law and other topics that are relevant to M&A transactions. The focus will be on a US styled transaction, and will include a spotlight on certain unique Israeli aspects.

**Prerequisites:** Corporate Law. **The course will be open to third-year law students only.**

**Grade Components:** 60% Papers, 40% Active in-Class Participation

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**Workshops and Seminars:** class attendance is mandatory

**Course: Wrongful Convictions Case Studies in United States and Israel**

**Prof. Sam Tenenbaum - Northwestern University School of Law**

**Credits: 2**

**Course number: 1411756550**

**Time: FIRST QUARTER**

**Course Description:**

Wrongful Conviction – Case Studies looks at the causes and remedies for wrongful convictions. Among topics discussed are mistaken identification, police and prosecutorial misconduct, false confessions, junk science, special problems related to juveniles, and poor defense lawyering. Actual cases from the United States and Israel will be studied as well as a review of current literature related to this topic.

**Grade Components:** 100% Take Home Exam



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**Workshops and Seminars:** class attendance is mandatory

**Course: Corporate Finance for Lawyers**

**Adv. LizAnn Eisen - Cravath, Swaine & Moore LLP**

**Credits: 2**

**Course number: 1411756250**

**Time: FIRST QUARTER**

**Course Description:**

Using real-life examples and simulations, this course will cover the day-to-day function of lawyers practicing corporate finance (both in-house and as outside counsel). Topics will include basic corporate finance principles, accounting for lawyers and how to learn and stay on top of current issues and trends, non-GAAP measures, relations with the CFO, audit committee and board of directors and significant shareholders, capital raising and other transformative transactions and financings, developing high quality compliance and risk management policies and procedures, the impact of significant litigation and government investigations. We will focus on substantive areas as well as ethical, business, policy and reputational concerns.

**Prerequisites:** Corporations; Business Associations or similar course

**Grade Components:** 100 % Final Paper

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**Workshops and Seminars:** class attendance is mandatory

**Course: Comparative Constitutional Law**

**Prof. Tsvi Kahana**

**Credits: 2**

**Course number: 1411758201**

**Time: FIRST QUARTER**

**Course Description:**

This course explores several constitutional topics and dilemmas from a comparative perspective. We will address matters such as the legitimacy of judicial review, the appropriate institutional design of a constitutional democracy, freedom of religion, freedom of expression, social and economic rights, and more. We will read cases from Israel, Canada, the United States, South Africa, and, time permitting, countries in Europe as well.

**Grade Components:** 100% Take Home Exam

**VERY IMPORTANT:**

**Courses:** class attendance is mandatory. Students who miss more than three meetings of a semester course, or more than five sessions of an annual course, or attended less than 75% of the meetings in condensed courses, will not be eligible to take the final exam.

**Workshops and Seminars:** class attendance is mandatory

**Course: Antitrust Policy**

**Prof. David Gilo - TAU**

**Credits: 2**

**Course number: 1411729801**

**Time: FIRST QUARTER**

**Course Description:**

The course will give an overview of antitrust policy. We will study how to analyze oligopolistic markets and harm to competition from various practices, including cross ownership among rivals, most favored consumer clauses, price matching practices, vertical restraints, loyalty discounts, excessive pricing by dominant firms and vertical mergers.

**Grade Components:** The course's grade will consist of 20% protective grade for attendance in class and 80% for the exam (that is, if the grade for attending classes is higher than the grade in the exam, then the final grade will be 80% the grade of the exam and 20% the grade for attendance in class and if the grade for attendance is not higher than the grade in the exam, then the final grade will be the grade of the exam). The meaning of attendance: if the student will attend all classes but three, the student will receive a grade of 100 for attendance and then attendance can be a protective grade as mentioned above. For a student who will not attend this number of classes the grade will be determined solely by the exam. Due to the bonus-like nature of the protective grade for attendance, it will not be relevant if absence from class is justified by any kind of justification".

Final exam with books.

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**Workshops and Seminars:** class attendance is mandatory

**Course: Criminal Justice in Israel**

**Prof. Kenneth Mann**

**Credits: 2**

**Course number: 1411704401**

**Time: FIRST QUARTER**

**Course Description:**

This course will focus on central characteristics of the criminal legal process in Israel. We will look at Israeli legal process in comparative perspective, using United States case law as a backdrop for identifying critical issues in criminal justice. The course will give special emphasis to a “downside-up” empirical view of how the legal process actually operates in police stations, prosecutors’ offices, the courts and in prisons. We will develop an empirical model of criminal justice, and compare it with law-in-the books. Emphasis will be given to the important differences in criminal justice for the poor as compared to the rich, and how those differences become evident at different stages of the criminal process, such as in plea bargaining, the conduct of criminal trials, sentencing and in appeals. Special attention will also be given to lawyers’ ethics in criminal defense representation and prosecutorial advocacy. We will also look at use of administrative detention in matters related to national security offenses, refugee entry and illegal immigration. Overall we will try to identify distinctive aspects of the Israeli legal process as compared to the American legal process. **Class participation is a prerequisite for taking the exam.**

**Grade Components:** 75% Take Home Exam, 25% Papers.

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**Workshops and Seminars:** class attendance is mandatory

**Course: Risk Derivatives and Financial Crises**

**Adv. Menachem Feder**

**Credits: 2**

**Course number: 1411660401**

**Time: FIRST QUARTER**

**Course Description:**

Derivatives are financial instruments that are used by sophisticated market players to manage financial risks. Derivatives are a crucial component of today's markets, but often are considered exotic or are misunderstood.

This course will explore the concept of financial risk and how, financially and contractually, that risk is controlled through the use of derivatives. Specifically, the course will examine the risks addressed by derivatives, the design and nature of derivatives, the differences between exchange-traded and off-exchange traded derivatives, the use of derivatives for hedging, speculation and arbitrage, the risks generated by derivatives, the legal architecture of derivative transactions and the legal and regulatory treatment of derivative trades. Finally, the course will explore the concept that derivatives cause, or at least contribute significantly, to financial crises and will review the ongoing policy debates over the use and oversight of derivatives around the world. This course will consider a number of past, including recent, financial crises and will touch on various areas of commercial law, including banking, bankruptcy, corporations and insurance.

**Prerequisites:** Corporate Law

**Grade Components:** 100% In Class Exam, with limited open books

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**Workshops and Seminars:** class attendance is mandatory

**Course: Varieties of Constitutionalism: Democratic, Autocratic, Populist**

**Dr. Felix Petersen**

**Credits: 2**

**Course number: 1411754001**

**Time: FIRST QUARTER**

**Course Description:**

The course provides an overview of the development of modern constitutional theory. It investigates the theoretical debate on constitutionalism in a variety of political systems and under changing social and political conditions. Focusing on the liberating potential of constitutions and their role in maintaining political power, we trace the conceptual evolution of constitutionalist thought and the historical-institutional transformation of constitutional government. The course is divided into two parts: While the first part is focused on the variety of concepts and theories of constitutionalism, the second part is focused on the variety of constitutional practices. Case studies include: Israel, Turkey, Hungary, Russia, Germany, and the United States.

**Grade Components:** 80% Final Paper, 20% Reading, In-class participation & Homework

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**Workshops and Seminars:** class attendance is mandatory

**Course: Introduction to Intellectual Property**

**Adv. Tony Greenman & Adv. Sarit Erez**

**Credits: 2**

**Course number: 1493100701**

**Time: FIRST QUARTER**

**Course Description:**

Intellectual property is a key driver of the modern economy. The course will introduce the student to the theoretical basis and the legal foundations of intellectual property protection. We will examine the fundamentals of the laws of the traditional forms of intellectual property: copyright and related rights, patents, designs, trademarks and trade secrets. We will explore the subject matter, scope and term of protection, as well as questions of ownership and infringement. We will also discuss the balancing of IP rights with the public interest, such as the right of free speech and the free flow of information, and on the influence of advances in technology on that balance. Additionally, we will discuss the international regimes of protection and different approaches to the subject matter in various jurisdictions. **Mandatory for International LL.M. - Technology Track students without a prior background in IP.**

**Grade Components:** 100% Take Home Exam

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**Workshops and Seminars:** class attendance is mandatory

## FALL SEMESTER - SECOND QUARTER

**Course: Republican Legal Theory**

**Prof. Prince Saprai – University College London, Faculty of Laws**

**Credits: 2**

**Course number: 1411756850**

**Time: SECOND QUARTER**

**Course Description:**

The course aims to introduce students to the ancient ideal of republicanism and the influential role it has played in legal and political philosophy. The course is in three parts. The first part will focus on the republican notion of freedom and the priority it attaches to the importance of (positive) involvement in social and political life, rather than the traditional liberal or Millian notion that freedom consists (negatively) in an absence of interference by others. The second part will explore how republicanism has played an influential role in modern jurisprudence and in particular in the work of scholars in the natural law tradition such as Lon Fuller and Ronald Dworkin. The third part of the course will demonstrate how republican thinking is influencing contemporary debates in areas of particular jurisprudence, such as the philosophy of private law.

**Prerequisites:** None although some previous knowledge of legal philosophy and private law (in particular Contract and Tort) would be an advantage.

**Grade Components:** 100% Final Paper



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**Workshops and Seminars:** class attendance is mandatory

**Course: Start-Up Law**

**Dr. Ayal Shenhav & Adv. Gal Hoffman - GKH Law Office**

**Credits: 2**

**Course number: 1493102201**

**Time: SECOND QUARTER**

**Course Description:**

Israel is known as "Start Up Nation". During the course Start Up Law we will review the Israeli Start Up Eco System and the major legal and financial events of a start up from formation until exit.

We will discuss the following topics:

1. Israeli Start Up Eco-System – how Israel became "Startup Nation" (key policy decisions)
2. Founder Agreements
3. Incorporation of the company - Key corporate and tax aspects
4. Venture Capital Funds- Structure and operations
5. Venture Capital Funds – Investment Transactions
6. Raising funds through Crowd Funding Platforms
7. Commercialization of Technology – Licensing Agreements, Distribution Agreements, Software as a Service ("SAAS") and more.
8. Employment Law Issues for Start Ups (Non-Compete, Employee Inventions)
9. Stock Option Plans.
10. M&A Transactions
11. The IPO process
12. Government Support and Incentives for Start Ups – The Israeli Innovation Authority.

**Grade Components:** 90% Take Home Exam, 10% Paper.

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**Workshops and Seminars:** class attendance is mandatory

**Course: Advanced Technology and the Law**

**Prof. Steve Zipperstein – UCLA**

**Credits: 2**

**Course number: 1411744350**

**Time: SECOND QUARTER**

**Course Description:**

This course will focus on the legal, public policy and regulatory aspects of cutting-edge technologies such as artificial intelligence, Blockchain/Bitcoin, autonomous vehicles, drones, 5G, smart cities, telemedicine and robotic surgery, virtual reality, augmented reality and other advanced technology platforms.

The course will examine the emerging public policy, regulatory and legal responses to advanced technologies in the United States, the European Union, Israel and elsewhere. We will analyze several of the key legal and policy issues implicated by new and cutting-edge technologies, such as privacy, national security, health security, intellectual property protection, network neutrality, content regulation, hacking and cybercrime. We will analyze existing and potential new legal and regulatory frameworks for addressing the promises and the potential pitfalls of advanced technology.

**Grade Components:** 100% Take Home Exam

**VERY IMPORTANT:**

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**Workshops and Seminars:** class attendance is mandatory

**Course: Political philosophy of Law**

**Prof. Mikhail Xifaras – SciencesPo Law School**

**Credits: 2**

**Course number: 1411757050**

**Time: SECOND QUARTER**

**Course Description:**

This course will explore the genealogy of contemporary critical philosophy and law, through the careful reading and discussion of heavily edited texts by philosophers and jurists who have had a deep influence on modern legal thought and social theory. The course will work to identifying the development and subsequent transformation of new modes of legal reasoning, as bearing on law as a supposedly autonomous discipline. A narrative on the role of law and legal thought in modern political philosophy might emerge. These authors are Bentham, Kant, Hegel, Savigny, Marx, Kierkegaard, Jhering, Nietzsche, Weber, Freud, Kelsen and Schmitt.

**Grade Components:** 100% Final Paper

**VERY IMPORTANT:**

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**Workshops and Seminars:** class attendance is mandatory

**Course: Jurisprudence and Political Economy**

**Dr. Ioannis Kampourakis & Dr. Eller Klaas – Oxford University & Amsterdam University**

**Credits: 2**

**Course number: 1411750950**

**Time: SECOND QUARTER**

**Course Description:**

This course aims to provide an insight into the intersection between jurisprudence and political economy. While jurisprudence poses fundamental questions about the nature of law and legal systems or about the relationship of law to morality or justice, these questions are often de-contextualized and thought of in abstraction of questions and theoretical debates about the political economy of the societies in which law is embedded. This course will attempt to bridge this gap, highlighting parallels in the development of legal and economic thought. In particular, the course will address questions that cut across different theoretical approaches, such as the role of law in the construction of markets or in the creation of economic value, the relationship of law to values such as efficiency or individual freedom, whether law has an ideological function, or what its potential is as an instrument for socioeconomic transformation.

**Grade Components:** 100% Take Home Exam

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**Workshops and Seminars:** class attendance is mandatory

**Course: Digital Copyright**

**Prof. Niva Elkin-Koren – University of Haifa**

**Credits: 2**

**Course number: 1411760501**

**Time: SECOND QUARTER**

Digital technology is affecting every aspect of our lives, transforming work, trade, communities, politics and governance. Copyright law is called upon to respond to these challenges, by applying old doctrines to the new information environment. The law is among the many forces which are shaping the digital ecosystem, affecting technological innovation, business models, social relations and political structures. Copyright law shapes access to knowledge, affecting our ability to keep things private, to learn, to share ideas, to use and reuse works, to generate original works, to compete, collaborate and innovate.

This course will demonstrate the interplay between law and digital technology. We will explore the challenges to law in the digital era and discuss contemporary controversies arising from digital distribution: the rise of the *information society*, the *data industry*, *User-Generated Content*, *mass collaboration* and the *sharing economy*.

Taking a comparative perspective, we will examine laws, regulatory responses and reform initiatives in different jurisdictions: the U.S. Europe and Israel. It is nevertheless a conceptual course, with the intention of providing students with tools to identify and address policy challenges related to digital technology. Issues covered will include: digital challenges to the incentives paradigm, User-Generated-Content and decentralized production of speech, legal challenges in collaborative production, enforcement challenges and online intermediaries, algorithmic governance, user rights, access to knowledge and the data industry, ownership in the sharing economy, private ordering and licensing schemes.

**Prerequisites:** Completed, or currently taking (Fall 2020), Intellectual Property Law or Introduction to Intellectual Property Law.

**Grade Components:** 80% Take Home Exam, 20% Course Assignments.

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**Workshops and Seminars:** class attendance is mandatory

## SPRING SEMESTER

**Workshop: International Law**

**Prof. Aeyal Gross, Dr. Eliav Lieblich & Dr. Natalie Davidson – TAU**

**Credits: 3**

**Course number: 1411759901**

**Time: SPRING SEMESTER**

**Course Description:**

Tel Aviv University International Law Workshop serves as a forum in which leading international law scholars, from Israel and abroad, present their works in progress and address past and contemporary challenges to international law. The workshop also provides TAU students (including LL.M. and Ph.D students) with the opportunity to read and comment on presented and classic texts. Students are assigned to write eight reaction papers and engage with the authors during the workshop's sessions.

**Prerequisites:** International Law

**Grade Components:** 90% Reaction Papers, 10% Active Participation.

**VERY IMPORTANT:**

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**Workshops and Seminars:** class attendance is mandatory

**Workshop: Private Law Theory**

**Prof. Hanoch Dagan & Prof. Avihay Dorfman - TAU**

**Credits: 3**

**Course number: 1411759601**

**Time: SPRING SEMESTER**

**Course Description:**

The Private Law Theory Workshop is a forum for ongoing scholarly research in private law and a Law Faculty course. The Workshop presents new scholarship on topics in and around private law, broadly conceived to include contract, torts, property, remedies, labor and employment, family, and private international law. Students who take the workshop for credit submit written comments on subset of the the papers presented. Sessions include a brief presentation followed by an open discussion (q. & a.) with the participation of students and faculty. The discussions will proceed under the assumption that the presented paper has been read carefully by all the participants.

**Grade Components:** 80% Reaction Papers, 20% high quality participation.

**VERY IMPORTANT:**

**Courses:** class attendance is mandatory. Students who miss more than three meetings of a semester course, or more than five sessions of an annual course, or attended less than 75% of the meetings in condensed courses, will not be eligible to take the final exam.

**Workshops and Seminars:** class attendance is mandatory

**Workshop: Economic Analysis of Law**

**Prof. Avraham Tabbach & Dr. Shay N. Lavie - TAU**

**Credits: 3**

**Course number: 1411759701**

**Time: SPRING SEMESTER**

**Course Description:**

This workshop will provide students the opportunity to engage with ongoing research in the economic analysis of law, written by leading worldwide scholars. In the first meetings, we will provide a general background concerning different types of papers in the economic analysis of law. Then, at most of the meetings, invited speakers will present works in progress, and an in-class discussion will follow. Students are required to read, before sessions, the papers to be presented and to submit brief written comments on several papers throughout the semester. Grades will be based on the written comments' quality as well as participation. Enrollment is permitted to students who have completed their first year in law school; as topics change, students may take the workshop multiple times.

**Grade Components:** 85% Papers, 15% in-class participation.



**VERY IMPORTANT:**

**Courses:** class attendance is mandatory. Students who miss more than three meetings of a semester course, or more than five sessions of an annual course, or attended less than 75% of the meetings in condensed courses, will not be eligible to take the final exam.

**Workshops and Seminars:** class attendance is mandatory

**Seminar Business Law: Transnational Perspectives**

**Dr. Ido Baum - ICA**

**Credits: 4**

**Course number: 1493102001**

**Time: SPRING SEMESTER**

**Course Description:**

Diversification is the first rule of good investment. It therefore follows that capital often seeks transnational investment opportunities. In this seminar we will discuss the implications of globalization on corporate law, corporate governance, securities regulation, competition (AKA antitrust) law and business formation. We will do so by considering how different norms influence cross-border business activity.

Students are expected to actively participate in the discussions and contribute insights from their own legal systems. While significant parts of the class discussions will inevitably focus on corporate law and tangent areas of law, students may write their seminar dissertation on a wider variety of business law topics.

**Prerequisites:** the seminar is available to students enrolled to the business law track. Other students with relevant academic or professional background may apply after consulting with the Dr. Baum.

**Grade Components:** 80% dissertation, 20% Class Participation and Presentation.

**VERY IMPORTANT:**

**Courses:** class attendance is mandatory. Students who miss more than three meetings of a semester course, or more than five sessions of an annual course, or attended less than 75% of the meetings in condensed courses, will not be eligible to take the final exam.

**Workshops and Seminars:** class attendance is mandatory

**Course: Health and Human Rights**

**Dr. Melanie Levy - TAU**

**Credits: 2**

**Course number: 1411744401**

**Time: FOURTH QUARTER**

**Course Description:**

This course provides an opportunity to explore ways in which human health is interrelated with human rights. It will study and assess the basic components of governmental obligations related to health under international human rights law. The course begins by examining the emergence of health and human rights as a distinct field. Following this, it will consider the meaning of the international right to health, stressing the differences between civil and political rights, on the one hand, and economic, social, and cultural rights, on the other. Although the course will focus broadly on health and human rights issues, special consideration will be given to the right to health as enshrined in the International Covenant on Economic, Social and Cultural Rights (ICESCR). Beyond the ICESCR, the course will also refer to other international instruments (e.g., Convention on the Elimination of all Forms of Discrimination Against Women) and regional instruments (e.g., European Convention on Human Rights), national constitutions and legislation, as well as relevant case law.

After exploring a series of foundational themes and issues (Part I – The field of health and human rights), the course will critically analyze the human rights dimensions of a variety of health challenges through in-depth case studies, such as the AIDS pandemic, neglected diseases, tobacco control, female genital mutilation, access to abortion services, and force-feeding of hunger strikers (Part II – Applying the health and human rights framework to different health topics). Finally, the course will identify ways in which a human rights approach can be used as an advocacy tool to improve the policies that shape the public's health. It will also debate current critiques of the rights' discourse and analyze future directions of health and human rights (Part III – Beyond the rights' discourse).

**Grade Components:** 90% In Class Exam with open books, 10% Participation.

**VERY IMPORTANT:**

**Courses:** class attendance is mandatory. Students who miss more than three meetings of a semester course, or more than five sessions of an annual course, or attended less than 75% of the meetings in condensed courses, will not be eligible to take the final exam.

**Workshops and Seminars:** class attendance is mandatory

## **SPRING SEMESTER – THIRD QUARTER**

**Course: Comparative Company Law**

**Prof. Konrad Osajda – University of Warsaw**

**Credits: 2**

**Course number: 1411757550**

**Time: THIRD QUARTER**

**Course Description:**

This course examines a selection of company law topics in a comparative context, drawing in particular on the laws of the UK, Germany, France, and the United States. At the beginning of each class the students will be introduced to definitions and concepts to be considered in-depth during the class. This will be followed by presentation of relevant national rules from different jurisdictions in order to allow for comparison of how different legal systems deal with the same issues. Against this background, the final part of each class will be devoted to discussing comparative advantageousness and effectiveness of the solutions analyzed. Participants are expected to contribute to the discussions.

**Grade Components:** 85% Final Paper, 15% Active Participation

**VERY IMPORTANT:**

**Courses:** class attendance is mandatory. Students who miss more than three meetings of a semester course, or more than five sessions of an annual course, or attended less than 75% of the meetings in condensed courses, will not be eligible to take the final exam.

**Workshops and Seminars:** class attendance is mandatory

**Course: International Economic Law - Between Liberalization and Regulation**

**Prof. Regis Bismuth – SciencesPo**

**Credits: 2**

**Course number: 1411757250**

**Time: THIRD QUARTER**

**Course Description:**

After a short introduction on the main sources and actors of international economic law as well as the political and economic aspects underpinning this field, the course will be dedicated to the study of trade disciplines and legal aspects of foreign investment. Emphasis will be placed on common principles (non-discrimination, transparency, etc.) and the necessary linkage between the liberalization and the regulation of non-economic issues (protection of health, environment, human rights, labor standards, national security, etc.). A special attention will also be devoted to adjudication mechanisms such as the WTO dispute settlement mechanism and investor/State arbitration, and the many challenges they face.

**Prerequisites:** None but a general knowledge of public international law would be an asset

**Grade Components:** 100% In-Class without books

**VERY IMPORTANT:**

**Courses:** class attendance is mandatory. Students who miss more than three meetings of a semester course, or more than five sessions of an annual course, or attended less than 75% of the meetings in condensed courses, will not be eligible to take the final exam.

**Workshops and Seminars:** class attendance is mandatory

**Course: International Civil Procedure in a Global World – Jurisdiction, Recognition and Enforcement**

**Prof. Dagmar Coester-Waltjen and Prof. Michael Coester – Academia Europaea & Ludwig Maximilian University**

**Credits: 2**

**Course number: 1411757350**

**Time: THIRD QUARTER**

**Course Description:**

The course will highlight the importance of a global approach to questions of jurisdiction etc. and the difficulties in finding common goals and protecting national procedural values. For this purpose, international instruments like inter alia the Hague Conventions and the European Regulations in commercial as well as in family matters and respective court decisions will be analyzed.

**Prerequisites:** Former attendance of a class on private international law/conflict of law and or civil procedure is recommended but does not amount to a pre-requisite.

**Grade Components:** 100% In-Class with open books

**VERY IMPORTANT:**

**Courses:** class attendance is mandatory. Students who miss more than three meetings of a semester course, or more than five sessions of an annual course, or attended less than 75% of the meetings in condensed courses, will not be eligible to take the final exam.

**Workshops and Seminars:** class attendance is mandatory

**Course: International Intellectual Property Law**

**Prof. Amir Khoury - TAU**

**Credits: 2**

**Course number: 1411656901**

**Time: THIRD QUARTER**

**Course Description:**

Unlike many fields in law, the national laws dealing with intellectual property protection are substantially affected by international agreements and conventions pertaining to the protection of IP rights.

This course follows the development of these agreements namely how they were conceived and how they have evolved over time.

The course reflects on the changes that have occurred within the international IP régime namely with the advent of the World Trade Organization. It also considers the “trade-off” which leads countries to adopt that régime.

The course also devotes attention to the “North-South” debate between Developed and Developing countries (“have”s & “have-not”s, respectively) and considers how this has been (and is being) resolved.

**Grade Components:** 100% In Class Exam with open books

**VERY IMPORTANT:**

**Courses:** class attendance is mandatory. Students who miss more than three meetings of a semester course, or more than five sessions of an annual course, or attended less than 75% of the meetings in condensed courses, will not be eligible to take the final exam.

**Workshops and Seminars:** class attendance is mandatory

**Course: Welfare State: Philosophy, Politics and Law**

**Dr. Rachel Friedman**

**Credits: 2**

**Course number: 1411744501**

**Time: THIRD QUARTER**

**Course Description:**

Over the past several decades, the welfare state has become a subject of political controversy. While many disputes concern the financial viability of welfare programs, it is the question of their rightful objectives and scope that has generated the most serious debate. This course will situate such debates in their historical and philosophical contexts, introducing students to the ideas that have shaped the welfare state since its inception. We will read classic works in distributive theory and analyze selected case studies in welfare policy and law. Participants will emerge with a deeper understanding of the aspirations and conflicts animating various welfare policies in Europe, the United States, and Israel. Grades will be based largely on an open-book, take-home exam. Regular attendance, active participation, and three short response papers are also required.

**Grade Components:** 70% Take Home Exam, 15% Participation & 15%

**VERY IMPORTANT:**

**Courses:** class attendance is mandatory. Students who miss more than three meetings of a semester course, or more than five sessions of an annual course, or attended less than 75% of the meetings in condensed courses, will not be eligible to take the final exam.

**Workshops and Seminars:** class attendance is mandatory

**Course: International Legal Perspectives on the Israeli-Palestinian Conflict**

**Dr. Daphna Shrager - UN**

**Credits: 2**

**Course number: 1411707101**

**Time: FIRST QUARTER**

**Course Description:**

The course will examine selected international legal questions at the core of the Israeli-Palestinian conflict. It will place the legal debate in a historical-political context, and analyze the legal questions from two vantage points and two parallel, competing national narratives – an Israeli and Palestinian. The legal questions examined will include the origin and root causes of the conflict, the first Israeli-Arab war of 1948 - the War of Independence for the Jews and the Nakba for the Palestinians; the 'birth' of the Palestinian refugee problem and the legal aspects of the 'right of return', the legal status of the West Bank and the Gaza Strip (following the 'disengagement'), the applicability of the laws of occupation and the Fourth Geneva Convention, in particular, the legality of settlements under international law, the right to self-determination, the Oslo Accords and the status of Palestine in the United Nations.

**Prerequisites:** International Law (recommended).

**Grade Components:** 100% In Class Exam with open books



**VERY IMPORTANT:**

**Courses:** class attendance is mandatory. Students who miss more than three meetings of a semester course, or more than five sessions of an annual course, or attended less than 75% of the meetings in condensed courses, will not be eligible to take the final exam.

**Workshops and Seminars:** class attendance is mandatory

**Course: Licensing of Intellectual Property**

**Adv. David Mirchin - Meitar Liguornik Geva Leshem Tal**

**Credits: 2**

**Course number: 1493101101**

**Time: THIRD QUARTER**

**Course Description:**

The focus will be practical rather than theoretical, and the course will address real-world business and legal scenarios faced by technology companies. The purpose of the course is to familiarize students with a wide range of licensing issues and ways to address divergent interests. We will cover in-depth licensing of software, content, trademarks and patents, as well as open source software and creative commons. We will review the purpose of various key terms in licensing agreements, the interests of each party, and a variety of fallback and alternative solutions which could serve your client and "make the deal happen." Students will also learn about various forms of agreement related to intellectual property licenses, such as Software-as-a-Service (SaaS) agreements, software maintenance agreements, Service Level Agreements, and software escrow agreements.

**Prerequisites:** This is an advanced licensing class for students who already have a foundation in intellectual property law and contract law.

**Grade Components:** 100% Take Home Exam

**VERY IMPORTANT:**

**Courses:** class attendance is mandatory. Students who miss more than three meetings of a semester course, or more than five sessions of an annual course, or attended less than 75% of the meetings in condensed courses, will not be eligible to take the final exam.

**Workshops and Seminars:** class attendance is mandatory

## SPRING SEMESTER – FOURTH QUARTER

**Course: Food Law and Policy**

**Prof. Emily M. Broad Leib - Harvard Law School**

**Credits: 2**

**Course number: 1411757650**

**Time: FOURTH QUARTER**

**Course Description:**

This course will examine how laws shape what we eat. In recent years, news stories have covered cellular meat, warning labels on unhealthy food products, the climate impact of agriculture, and skyrocketing food insecurity due to the COVID-19 pandemic. This course will put these issues in context through an examination of the laws that govern the foods we grow, transport, distribute, buy, cook, eat, and waste. Topics we will address include food safety regulation; the environmental, health, and safety impacts of industrial food production; emerging technologies in food; food security and food access; and food-related health impacts such as diet-related disease. We will look at food law and policy in the United States and Israel, as well as other international examples. The reading materials for will be provided in a course reader, and will include various cases, laws, book chapters, media articles, and scholarly articles that present diverse viewpoints on some of the controversial topics presented.

**Grade Components:** 100% Final Paper

**VERY IMPORTANT:**

**Courses:** class attendance is mandatory. Students who miss more than three meetings of a semester course, or more than five sessions of an annual course, or attended less than 75% of the meetings in condensed courses, will not be eligible to take the final exam.

**Workshops and Seminars:** class attendance is mandatory

**Course: Introduction to Comparative Law: Western Europe and United States**

**Prof. Amalia Kessler - Stanford Law School**

**Credits: 2**

**Course number: 1411757750**

**Time: FOURTH QUARTER**

**Course Description:**

There is evidence from archeology and evolutionary biology to suggest that punishment is a near human universal. Yet historians and sociologists have documented broad variation in the means, manner, and motives of punishment. Since the early modern period, punishment has played a significant role in the formation of political sovereignty and in governing populations. Durkheim, the founder of modern punishment and society research theorized a long arc of moderation in the penal evolution but in the late 20 century, the United States, perhaps the most economically advanced country in the world launched a prolonged punitive turn that saw the scale and severity of punishment reach unprecedented levels, and leading to a new penal form that has been called “mass incarceration.” On a more modest scale other countries, including Spain, Brazil, and Chile have followed suit. This course will develop a series of productive theoretical frameworks for studying penal change and stability before turning to international comparisons in an effort to identify the most salient determinants of punitive turns in contemporary societies.

**Grade Components:** 100% Final Paper

**VERY IMPORTANT:**

**Courses:** class attendance is mandatory. Students who miss more than three meetings of a semester course, or more than five sessions of an annual course, or attended less than 75% of the meetings in condensed courses, will not be eligible to take the final exam.

**Workshops and Seminars:** class attendance is mandatory

**Course: Law and Literature**

**Prof. Marco Wan – Hong Kong University, Faculty of Law**

**Credits: 2**

**Course number: 1411744150**

**Time: FOURTH QUARTER**

**Course Description:**

This course explores the complex interactions between literature and the law. Even though the two disciplines may seem distinct, both law and literature are products of language and have overlapped in significant and interesting ways in history. Why do legal themes recur in fiction, and what kinds of literary structures underpin legal argumentation? How do novelists and playwrights imagine the law, and how do lawyers and judges interpret literary works? Could literature have legal subtexts, and could legal documents be re-interpreted as literary texts? We will think through these questions by juxtaposing novels, plays, court cases, and critical theory. In the final part of the course, we will examine the latest developments in the field by reading selected articles from Law & Literature, of which the instructor is Managing Editor.

**Grade Components:** 100% In-Class with books

**VERY IMPORTANT:**

**Courses:** class attendance is mandatory. Students who miss more than three meetings of a semester course, or more than five sessions of an annual course, or attended less than 75% of the meetings in condensed courses, will not be eligible to take the final exam.

**Workshops and Seminars:** class attendance is mandatory

**Course: Digital Civil Rights**

**Prof. Ari Waldman - New York Law School**

**Credits: 2**

**Course number: 1411757950**

**Time: FOURTH QUARTER**

**Course Description:**

This advanced seminar focuses on how our most fundamental freedoms and liberties are affected by new and advancing technologies, including speech and privacy. Our reading will be a combination of judicial decisions, legal and sociological scholarship, and more popular sources. The chief goal of this seminar is to get us thinking about the ways technology changes society, using civil liberties as a case study. But I also hope our discussions spark more complex theorizing about the effects of technology, particularly on marginalized populations, and what, if anything, we can do about it.

**Grade Components:** 100% Final Paper

**VERY IMPORTANT:**

**Courses:** class attendance is mandatory. Students who miss more than three meetings of a semester course, or more than five sessions of an annual course, or attended less than 75% of the meetings in condensed courses, will not be eligible to take the final exam.

**Workshops and Seminars:** class attendance is mandatory

**Course: Introduction to United States Constitutional Law**

**Prof. Neil Siegel - Duke Law**

**Credits: 2**

**Course number: 1411758050**

**Time: FOURTH QUARTER**

**Course Description:**

This is a basic course in U.S. Constitutional Law. It introduces: (1) the primary themes of the U.S. Constitution (i.e., democracy, judicial review, federalism, separation of powers, and rights); (2) the basic methods of constitutional interpretation (i.e., text, purpose, structure, original meaning, tradition, anti-tradition, precedent, historical practice, consequences, and collective identity (ethos)); and (3) the sources of constitutional change (e.g., social movements, political parties, judges, wars, and depressions). A central focus will be on the relationship between constitutional interpretation inside the courts and claims on the Constitution outside the courts.

**Grade Components:** 100% Take Home Exam

**VERY IMPORTANT:**

**Courses:** class attendance is mandatory. Students who miss more than three meetings of a semester course, or more than five sessions of an annual course, or attended less than 75% of the meetings in condensed courses, will not be eligible to take the final exam.

**Workshops and Seminars:** class attendance is mandatory

**Course: The Law and Economics of Behavioral Policy Making**

**Prof. Avishalom Tor - Notre Dame University**

**Credits: 2**

**Course number: 1411758150**

**Time: FOURTH QUARTER**

**Course Description:**

Governments and organizations around the world increasingly turn to behaviorally-informed policy making—often referred to as “nudging”—in domains ranging from health, safety, education, and finance to environmental protection, tax compliance, public service delivery, and more. In all of these areas, policy makers aim to promote welfare by shaping the behavior of the people they target, drawing on the evidence and methods of behavioral science to inform policy design. Despite their promise and manifest benefits, however, behavioral policies are hotly debated, with scholars challenging their legitimacy, desirability, and efficacy. Using diverse legal, economic, and behavioral sources, this course will explore the contours of behavioral policy making, its promise and limitation, benefits and costs, helping students develop an informed, critical understanding of this important, ascendant approach to legal policy making.

**Grade Components:** 100% Final Paper

**VERY IMPORTANT:**

**Courses:** class attendance is mandatory. Students who miss more than three meetings of a semester course, or more than five sessions of an annual course, or attended less than 75% of the meetings in condensed courses, will not be eligible to take the final exam.

**Workshops and Seminars:** class attendance is mandatory

**Course: Reading Corporate Law Cases: Delaware and Israel**

**Prof. Edward Rock & Dr. Kobi Kastiel – NYU Law & TAU**

**Credits: 2**

**Course number: 1411753950**

**Time: FOURTH QUARTER**

**Course Description:**

In the basic course on corporate law, and in mergers and acquisitions, students in the law faculty learn the ins and outs of Israeli corporate law and the fundamental principles of Delaware law. In the course of doing so, you read a variety of Israeli and Delaware cases. In this short course, we will use a comparative approach to delve deeper. After a brief introduction to Israeli and US/Delaware corporate law, we will turn to pairs of Delaware and Israeli cases that raise related issues. Students will be expected to read the cases in advance of class.

**Prerequisites:** The basic course in Corporate Law is a pre-requisite. An advanced course in Mergers and Acquisitions is recommended.

**Grade Components:** 100% Reaction papers. In place of a final exam, students will be asked to submit, before sessions, brief memorandums on the assigned readings and to participate in one in-class presentation of a court opinion. Grades will be based on these memos and on participation in class discussions. Attendance in all sessions of the class is mandatory.



**VERY IMPORTANT:**

**Courses:** class attendance is mandatory. Students who miss more than three meetings of a semester course, or more than five sessions of an annual course, or attended less than 75% of the meetings in condensed courses, will not be eligible to take the final exam.

**Workshops and Seminars:** class attendance is mandatory

**Course: Art Law - A Contemporary International Business Perspective**

**Prof. Dotan Oliar**

**Credits: 2**

**Course number: 1411760650**

**Time: FOURTH QUARTER**

**Course Description:**

This course is geared primarily to familiarizing students with the practice of art law as being at the intersection of, and necessitating knowledge of, several bodies of law. Contract law and concepts such as meetings of the minds, mistakes of fact, warranties, and good faith are centrally involved in art law transactions and will accompany us throughout. The Uniform Commercial Code is the primary regulatory schema in the U.S. governing art disputes, and this course will provide students with U.C.C. familiarity. Students will also learn to apply civil procedure rules and concepts that can be outcome-determinative in art cases, including statutes of limitations/laches defenses, and also including choice of law analyses where different international rules governing the rights and duties of buyers and sellers may conflict in their policy preferences. Copyright law in the area of visual art will additionally be introduced. This course can complement full courses offered in the areas of commercial/sales law, intellectual property law, international law, and civil procedure. Methodologically, the course will use a law-and-economics approach to analyze issues such as assignments of burdens of diligence and risks of loss, particularly in disputes over title and authenticity.

**Grade Components:** 100% In Class Exam without books

**VERY IMPORTANT:**

**Courses:** class attendance is mandatory. Students who miss more than three meetings of a semester course, or more than five sessions of an annual course, or attended less than 75% of the meetings in condensed courses, will not be eligible to take the final exam.

**Workshops and Seminars:** class attendance is mandatory