

**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

## FALL SEMESTER

**Seminar: Human Trafficking: a Labor Approach**

**Prof. Hila Shamir - TAU**

**Credits: 4**

**Course number: 1411-7451-01**

**Time: FALL SEMESTER**

**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 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. 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 migration governance, labour law enforcement, and corporate social responsibility. 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, and focus on a labor response to human trafficking. The course is informed by the research of the TraffLab ([www.trafflab.org](http://www.trafflab.org)) research project (ERC)

**Grade Components:** 80% Final Research Paper, 10% In Class Participation, 10% Reaction Papers

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

**Workshop: Economic Analysis of Law**

**Prof. Ronen Avraham & Dr. Tami Kricheli Katz - TAU**

**Credits: 3**

**Course number: 1411-7679-01**

**Time: FALL 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 introduction to the economic analysis of law and empirical legal studies. Then, in 2/3 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.

Students will be also asked to work in groups towards a presentation of one of the papers in class (1/3 of the meetings).

Grades will be based on the written comments? quality as well as on the class presentation and 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:** 70% Written Submissions, 15% Active Participation, 15% Presentation

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

**Workshop: Law & Technology**

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

**Credits: 3**

**Course number: 1411-7658-01**

**Time: FALL SEMESTER**

**Course Description:**

Digital networks offer an almost infinite number of speech 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 discussing 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). Students will be required to read papers in advance, comment in writing, actively 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 comment

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

**Workshop: MPI-TAU Transnational Legal History Work**

**Prof. Assaf Likhovski & Prof. Ron Harris - TAU**

**Credits: 3**

**Course number: 1411-7681-01**

**Time: FALL SEMESTER**

**Course Description:**

The Transnational Legal History Workshop, which is open to research students as well as undergraduates, brings together students and senior researchers from Germany, Israel, and beyond for a weekly intercontinental meeting emphasizing the critical reading and deliberative skills that are crucial building blocks in the training of young lawyers and legal historians, and the catalyst for good scholarship at all levels. Leveraging the international format of the course, it focuses on legal history with transnational, international, global, and comparative aspects, rather than traditional national legal history. The Workshop will also help participants build professional and social ties that will set the stage for future research collaboration and improve students' English skills. The Workshop will meet synchronously by Zoom on a near-weekly basis over the course of the semester, extending a week or two into the winter vacation. Each week will feature a guest author whose draft paper will be pre-circulated among participants. Students will be required to write a number of short critiques of the papers. At the weekly meeting, after a brief oral presentation by the guest, participants will discuss the paper, giving students the opportunity to engage in constructive scholarly debate with authors and with their peers in Germany and elsewhere.

**Grade Components:** 20% Class Participation, 80% Written Comments

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

## FALL SEMESTER - FIRST QUARTER

**Course: Advanced Technology: Law, Regulation and Policy**

**Prof. Steve Zipperstein - UCLA**

**Credits: 2**

**Course number: 1411-7443-50**

**Time: FIRST QUARTER**

**Course Description:**

The incredible pace of technological change during the past 25 years has presented enormous theoretical, practical and policy challenges for public policymakers, regulators and legal systems throughout the world. Technological disruption has forced these key stakeholders to grapple with rapidly changing conceptions of individual privacy, national security, intellectual property and copyright protection, cybersecurity, hacking and other technology-based criminal activity, and the nature and extent of government regulation.

This course will focus on cutting-edge issues in technology and public policy, regulation and the law. The course is for students with existing familiarity with basic technology-related issues. The coursework will build on that foundation and focus on the public policy, regulatory and legal aspects of 5G wireless technology (including smart cities and telemedicine), autonomous vehicles, drones, artificial intelligence, virtual reality, augmented reality, facial recognition, biometrics, Bitcoin, Blockchain and other cutting-edge, advanced technology platforms. We will examine the emerging public policy, regulatory and legal responses to these advanced technologies in the United States, the European Union and elsewhere .

The course will be divided into two parts: during the first half of the course we will discuss some of the key concepts involved in addressing advanced technology, such as regulation, privacy and intellectual property. During the second half of the course we will delve into several of the specific technologies themselves, to gain a deeper understand of the public policy, regulatory and legal issues they present.

**Grade Components:** 100% Final Paper

## COURSE DESCRIPTIONS – BY QUARTER – 2022-2023

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

**Course: Comparative Company Law**

**Prof. Konrad Osajda - University of Warsaw, Faculty of Law and Administration**

**Credits: 2**

**Course number: 1411-7575-50**

**Time: FIRST 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:** 100% Final Paper

**VERY IMPORTANT:**

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

**Course: Protection Overlaps in Intellectual Property Law**

**Prof. Martin Senftleben - Institute for Information Law (IViR), University of Amsterdam**

**Credits: 2**

**Course number: 1411-7706-50**

**Time: FIRST QUARTER**

**Course Description:**

In intellectual property law, overlaps of exclusive rights stemming from different protection regimes raise particular problems. Nonetheless, the cumulation of rights has become a standard protection strategy in sectors ranging from the software and data industry to industrial design and entertainment. Against this background, this module offers a detailed analysis of the regulation of protection overlaps in intellectual property law. Which boundary lines are drawn between certain domains of intellectual property? Which combinations of rights are deemed permissible and used strategically in practice? Using international, US and EU legislation and case law as reference points, these questions will be discussed. Moreover, the course will explore alternative avenues for better law and policy making.

**Prerequisites:**

Ideally, participants have basic knowledge of the different branches of intellectual property law, in particular copyright, trademark and patent law. This knowledge should include the requirements for obtaining protection (originality, distinctiveness, novelty/inventive step) and the scope of exclusive rights, including exceptions and limitations.

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

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

**Course: Climate Change and Energy Law and Policy**

**Prof. Rafael Leal-Arcas - Queen Mary University of London**

**Credits: 2**

**Course number: 1411-7707-50**

**Time: FIRST QUARTER**

**Course Description:**

This course will examine the scientific, economic, legal, political, institutional, regulatory, and historical underpinnings of climate change as an issue and the related policy challenges of creating and sustaining a prosperous decarbonized modern society. Particular attention will be given to analyzing the existing international framework of treaties, laws, regulations, and policies and the incentives they have created to address the build-up of greenhouse gas emissions in the atmosphere. The course will center on a set of critical questions including: What would a 21st century policy framework that is designed to deliver a successful response to climate change look like? Does the 2015 Paris Climate Change Agreement provide the right foundation for action? How should issues of (in)equity be addressed? How might incentives be structured to engage the business community in climate change problem-solving?

Class sessions will be highly interactive. Required readings cover broad thematic territory, commensurate with the sweeping coverage of the course. Readings include several books and a number of articles, studies, and reports. Students are expected to come to each class prepared to engage in back-and-forth dialogue around critical topics and questions, which are provided for each class session in the syllabus.

**Grade Components:** 100% Final Paper

**VERY IMPORTANT:**

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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: 1411-7518-50**

**Time: FIRST QUARTER**

**Note: Limited available spots**

**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:** Prior completion of the basic Corporate Law course. **The course will be open to third-year law students only.**

**Grade Components:** 75% Papers, 25% Active in-Class Participation

**COURSE DESCRIPTIONS – BY QUARTER – 2022-2023**

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

**Course: Presidential Power Under the US Constitution**

**Prof. William Kelley - Notre Dame Law School**

**Credits: 2**

**Course number: 1411-7708-50**

**Time: FIRST QUARTER**

**Course Description:**

This course will examine how powers are established and used by the various government actors under the US Constitution, with particular focus on the powers of the President. To understand presidential power, one must consider the structure and theory of the US Constitution and the relationship of the President to other constitutional actors. The course will examine historical incidents raising significant questions of presidential power, as well as current doctrinal treatment of various modern questions of presidential power.

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

**VERY IMPORTANT:**

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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: 1493-1007-01**

**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. During the course, short exercises may be assigned, that will allow the students to get bonus points for the final grade.

**VERY IMPORTANT:**

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

**Course: The International Law of Work**

**Prof. Guy Mundlak - TAU**

**Credits: 2**

**Course number: 1411-6749-01**

**Time: FIRST QUARTER**

**Course Description:**

Young women labor stitching jeans in Bangladesh; fishermen in Southern United States losing their jobs to Vietnam; care live-ins work around the clock; construction workers in Germany remain unemployed at the time Polish workers are being posted in Germany; consumers boycott Nike, but hesitate before paying premium prices for fair trade coffee; trade unions around the world support their fellow dock-workers in the Liverpool port. What do we make of these examples?

As labor and capital markets transcend domestic borders, the objectives of labor law can no longer be confined solely to actions within the nation state. The purpose of this course is twofold. First, to identify the diverse components of international employment and labour law, the institutions, the claims and the methods for advancing social protection to workers world-wide. This inquiry spans beyond traditional instruments that are associated with labor law, and includes trade law, private international law, international human rights and corporate social responsibility. It further seeks to embed the study of legal instruments in the broader economic and sociological debates on globalization. The second goal is to critically assess how international developments affect domestic labor law and our perception of the ethical and economic values that underscore this body of law

**Course Objectives-**

To understand the debates about globalization

To embed legal dilemmas in social and economic context

To test our moral intuitions about dilemmas of global justice

To piece together the various components of the loose body of law that we designate as international labor law.

To start from the local premises of labor law we are familiar with and to test them in the move from the national to the international

**Prerequisites:** Students must have taken a course in employment or labour law

**Grade Components:** 85% Take Home Exam & 15% Home Assignments

Attendance in the course is compulsory

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**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:** Subject to changes due to Covid, 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.

100% In-Class Exam (with books).

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

**Course: Derivatives, Risk and Financial Crises**

**Adv. Menachem Feder**

**Credits: 2**

**Course number: 1411-6604-01**

**Time: FIRST QUARTER**

**Course Description:**

This course covers one of most essential yet paradoxical topics in financial law: derivatives. Derivatives constitute a fundamental component of today's financial markets, yet are commonly considered exotic and inscrutable. Sophisticated market players regularly use derivatives, yet onlookers often label derivatives as toxic. In recent years, the dangerous reputation has held sway. Following the worldwide financial crisis of 2007-08, market observers blamed derivatives for spreading the contagion of the crisis and destabilizing the global financial system. As a result, public awareness, but not public understanding, of derivatives shot up. The objective of this course is to develop student understanding of financial risk and financial risk management via derivatives and of the role of law in controlling the use of derivatives.

In this course, we will get to know derivatives, studying financial risk and how derivatives work to manage that risk, and study the extent to which derivatives have been involved in various corporate and systemic collapses or near-collapses. Ultimately, we will critically examine the concept that derivatives cause, or at least contribute significantly to, financial crises and review the ongoing policy debates over the use and oversight of derivatives around the world. We will consider a number of recent financial crises and will touch on various areas of commercial and corporate law, including banking, bankruptcy, corporate governance and insurance.

**Grade Components:** 100% In-Class Exam (with open books).

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

**Course: International and Comparative Refugee Law**

**Adv. Mirjam Strend - TAU**

**Credits: 2**

**Course number: 1411-7705-01**

**Time: FIRST QUARTER**

**Course Description:**

At the end of 2021, a record 89.3 million people were forcibly displaced worldwide, according to the United Nations High Commissioner for Refugees (UNHCR?). The public and political debate on state obligations towards asylum seekers and refugees has been highly divisive, both in Israel and worldwide.

This course examines the international legal framework for refugee protection, including the refugee definition and case law from leading domestic jurisdictions interpreting its different elements, as well as the rights allocation regime in the Refugee Convention and its interrelation with international human rights law. By looking critically at the question who is and is not protected under international refugee law and what rights they are entitled to, the course enables students to engage with the balance between refugee's rights and state interests struck by international refugee law and the extent to which this regime can address current challenges.

The course will consist of two parts. Part 1 will address the different elements of the refugee definition as well as exclusion grounds and their interpretation in the case law of leading domestic jurisdictions. Part 2 will examine the rights allocation regime of the Refugee Convention and its interrelation with international human rights law by delving into several case studies of recent policies in Israel and the world. Case studies will include the right to non-refoulement and safe third country agreements, detention policies and limitations on the right to free movement, the right to work and social security and the right to education.

**Grade Components:** 100% Take Home Exam + Bonus points for active class participation.

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

**Course: International Intellectual Property Law**

**Prof. Amir Khoury - TAU**

**Credits: 2**

**Course number: 1411-6569-01**

**Time: FIRST QUARTER**

**Course Description:**

While Intellectual Property is largely managed on the National Level, the entire regulative structure of this IP is firmly based on International Regulation thereof. This course presents the structure within International IP Law. The course deals with the history of the field, its present as well its future. But in addition to these the course is also practical and business oriented in that it also makes the connection between the law and the field of business, research, development and international relations .

**Grade Components:** 100% In-Class Exam with Open Books

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

## FALL SEMESTER - SECOND QUARTER

**Course: Aggregate Litigation and Individual Justice**

**Prof. Lynn A. Baker - University of Texas School of Law**

**Credits: 2**

**Course number: 1411-7431-50**

**Time: SECOND QUARTER**

**Course Description:**

American courts and lawyers have been increasingly challenged by the special difficulties presented by the litigation of mass torts, such as those involving the BP oil spill, the drug Vioxx, asbestos, Roundup, and the 9/11 attacks. The multibillion dollar settlements of nationwide litigation involving thousands of plaintiffs have forced attorneys (for both the plaintiffs and defendants) and the courts to rethink notions of individual justice, and the zealous and ethical representation of clients. Some of the topics to be covered include: the variety of structures for resolving mass tort litigation, including the "quasi-class action"; the changing role of the court and the proper limits on judicial power; ethical issues confronting attorneys; and how best to compensate attorneys.

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

**COURSE DESCRIPTIONS – BY QUARTER – 2022-2023**

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

**Course: US Antitrust Law & Policy**

**Prof. Barak Orbach – University of Arizona**

**Credits: 2**

**Course number: 1411-7709-50**

**Time: SECOND QUARTER**

**Course Description:**

This course offers a practical introduction to the principles and standards that govern the US antitrust laws with an emphasis on current trends. If you are interested in learning about or practicing antitrust, or if want to know more about the digital economy and the regulation of Big Tech, this is a course you should take!

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

## COURSE DESCRIPTIONS – BY QUARTER – 2022-2023

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

**Course: The Law's Role for the Emergence and Democratization of European Society**  
**Prof. Dr. Armin Von Bogdandy - Max Planck Institute for Comparative Public Law and International Law**

**Credits: 2**

**Course number: 1411-7710-50**

**Time: SECOND QUARTER**

### **Course Description:**

This course on European Law will show how it contributed to the emergence and democratization of European society. Students will get a thorough introduction to the legal developments of the last 70 years in this key. This should give a new and deeper understanding of historical events, legislation, judgments and scholarship. A core issue will be how today the European society struggles against authoritarian tendencies in some of its member states. The course will draw parallels to how the Israeli society developed in the same time span.

**Grade Components:** 100% Final Paper

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

**Course: The Law of Natural Resources**

**Prof. Bruce Huber – Notre Dame Law School**

**Credits: 2**

**Course number: 1411-7621-50**

**Time: SECOND QUARTER**

**Course Description:**

This course will examine the law of natural resources from a comparative and international perspective. How do legal systems conserve, protect, and allocate rights to resources such as water, land, minerals, oil & gas, and wild animals? We will focus in particular on the tension between private rights and public regulation, and on the law's various responses to climate change.

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

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

**Course: Licensing of Intellectual Property**

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

**Credits: 2**

**Course number: 1493-1011-01**

**Time: SECOND 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

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

**Course: Start-Up Law**

**Adv. Shay Yanovsky & Dr. Ayal Shenhav - GKH Law Office**

**Credits: 2**

**Course number: 1493-1022-01**

**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.

**COURSE DESCRIPTIONS – BY QUARTER – 2022-2023**

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

**Course: Historical Introduction to English Law**

**Dr. David Schorr - TAU**

**Credits: 2**

**Course number: 1411-6700-01**

**Time: SECOND QUARTER**

**Course Description:**

Was Brexit constitutional? What does "constitutional" even mean in Britain? What was Magna Carta really about? Why were defendants in medieval England crushed with heavy weights until they agreed to be tried by jury? Why did criminal trials have no lawyers or witnesses? How could a legal system have no remedy for breach of contract? What's the connection between equity and Continental legal systems? In an attempt to understand the law and legal culture at the root of many legal systems today, these questions and more will be addressed in this course.

**Grade Components:** 80% In-Class Exam (without books), 20% Papers

**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

**Seminar: Law & Information Technology**

**Prof. Niva Elkin Koren - TAU**

**Credits: 4**

**Course number: 1493-1024-01**

**Time: SPRING SEMESTER**

**Course Description:**

Information technology is affecting every aspect of our lives, transforming work, trade, communities, politics and governance. The law is called upon to respond to these changes, by applying old doctrines to the new information environment. At the same time, however, courts and legislators are also playing a key role in shaping technological innovation, business models, social relations and political structures.

This seminar explores the complex relationship between law and information technology. It offers an in-depth exploration of some of the challenges to law in the digital era, emphasizing regulatory options and policy considerations. The study of law in the digital environment further offers an opportunity to explore new types of governance, using digital platforms, Artificial Intelligence and data, and to re-examine some premises regarding the law and how it operates.

The seminar is designed to facilitate the writing of research papers. Students will be required to submit a thesis statement of the topic (including a preliminary bibliography) for approval, and to present their initial findings towards the end of the semester.

**Grade Components:** 70% Final Paper, 20% presentation of the research & 10% active 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 – Colman**

**Credits: 4**

**Course number: 1493-1020-01**

**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

**Workshop: International Law**

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

**Credits: 3**

**Course number: 1411-7682-01**

**Time: SPRING SEMESTER**

**Course Description:**

Tel Aviv University's 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 six reaction papers and engage with the authors during the workshop's sessions.

**Prerequisites:** Public international Law.

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

**COURSE DESCRIPTIONS – BY QUARTER – 2022-2023**

**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: Securities Regulation**

**Prof. Omri Yadlin– TAU**

**Credits: 2**

**Course number: 1411-9310-01**

**Time: SPRING SEMESTER**

**Course Description:**

The course covers fundamental concepts of U.S. and Israeli Securities Regulation, including: Fraud on the Market, Insider Trading, the IPO process, Liability for Mistatements in Prospectus and Manipulations.

**Prerequisites:** Corporations

**Grade Components:** 100% In-Class Exam (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**

## SPRING SEMESTER – THIRD QUARTER

**Course: Global Animal Law**

**Prof. Prof. Dr. Dr. h.c. Anne Peters-Schwenke - Max Planck Institute for Comparative Public Law and International Law**

**Credits: 2**

**Course number: 1411-7713-50**

**Time: THIRD QUARTER**

**Course Description:**

The course develops a body of global animal law through the lens of critical global animal studies. The plight of animal individuals and species inflicted on them by human activity is a global problem with detrimental repercussions for all humans and for the entire planet. The course gives an overview of the most important international legal regimes which directly address animals and which indirectly affect them: species conservation treaties, notably the international whaling regime, the farm animal protection rules of the EU, international trade law, the international law of armed conflict. It also analyses the potential of international fundamental rights for animals. It addresses progressive treaty interpretation, treaty-making, and animal interest representation for closing the animal welfare gap in international law .

The primary goal for this course is for students to become aware of international legal problems connected to human – animal interactions, to apply a range of established legal doctrines, possibly with due modifications, in this context. Students should become empowered to try out creative legal thinking by extrapolating the existing case law, treaty law, and general principles.

**Prerequisites:** All topics will require paying attention to the interaction between international and domestic law and between public and private law and actors, and will therefore be transnational in character. The course will also teach academic writing skills and legal presentation skills .

In order to reach the learning objectives, students should have basic knowledge in public international law.

**Grade Components:** 70% Final Paper, 30% In-Class 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: Philosophy of Private Law**

**Prof. Sandy Steel - University of Oxford**

**Credits: 2**

**Course number: 1411-7711-50**

**Time: THIRD QUARTER**

**Course Description:**

This course will explore philosophical issues raised by private law. It covers torts, contract, and unjust enrichment, as well as the crosscutting topic of 'causation in the law'. The course will consider the conceptual relationships between these grounds of liability, but the focus will be on the fundamental normative issues that arise within each area of law. Each area is examined in its own right, but comparisons will often be drawn between the different domains .

At the end of the course, students should have a better, critical, understanding of the fundamental conceptual and moral questions raised by private law, such as: Is strict liability morally defensible? Is the law's conception of causation philosophically defensible? To what extent do duties to compensate depend upon prior wrongdoing? Do the outcomes of our conduct matter for the moral assessment of our conduct? When, if ever, should the profits from wrongdoing be paid over to the victims of wrongs?

**Grade Components:** 100% Final Paper

**COURSE DESCRIPTIONS – BY QUARTER – 2022-2023**

**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: Online Speech Governance on Private Platforms**

**Prof. Kate Klonick - St. John's University Law School**

**Credits: 2**

**Course number: 1411-7715-50**

**Time: THIRD QUARTER**

**Course Description:**

This course will explore the intersection of public, private, and platform law in governing online speech on major transnational user generated content platforms, such as Meta, Twitter, YouTube, TikTok, Reddit and others.

**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: Comparative Judicial Behavior**

**Prof. Joanna Shepherd - Emory University School of Law**

**Credits: 2**

**Course number: 1411-7714-50**

**Time: THIRD QUARTER**

**Course Description:**

This seminar will discuss theories of judicial behavior and how different institutions, case issues, and political factors influence judicial decision-making among American and Israeli judges. Topics include: theories of judicial decision-making; demographic factors influencing judicial behavior; judicial selection and retention; constraints under which judges operate; intra- and inter-court relations; the role of public opinion; and lawyer influences on judicial decisions.

**Grade Components:** 100% Final Paper

## COURSE DESCRIPTIONS – BY QUARTER – 2022-2023

### **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: An Introduction to US Contract Law**

**Prof. Mark Gergen - University of California, Berkeley School of Law**

**Credits: 2**

**Course number: 1411-7716-50**

**Time: THIRD QUARTER**

### **Course Description:**

The course will cover the most distinctive and controversial parts of U.S. contract law. These are the rules in classical contract law that give primacy to a writing to which parties manifest assent in determining the terms and existence of a contract. These rules include the parol evidence rule, the plain meaning rule, the duty to read rule, and the definiteness requirement. Many states, including New York, continue to apply these rules. The course will also cover rules in modern contract law that alter or create exceptions to these rules, including the reasonable expectation doctrine and UCC § 2-207. The course will be taught using materials from the next edition of my casebook, Fuller, Eisenberg, and Gergen, Basic Contract Law. Students will not need to purchase the book.

**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: Sustainable Corporate Governance**

**Prof. Tobias Tröger - GoetheUniversity Frankfurt**

**Credits: 2**

**Course number: 1411-7712-50**

**Time: THIRD QUARTER**

**Course Description:**

Can corporate law and governance contribute to the transition of economic activity and help meet sustainability targets? This course looks into the fundamentals of sustainable finance and the transforming role that various actors could play in the internal and external governance of the firm. It examines different types of investors, for instance (passive) asset managers and activist funds, and corporate insiders, like board members. The focus is on how corporate law and financial regulation can influence incentives to induce the sustainable transition of the economy.

**Prerequisites:** Basic understanding of corporate law/financial regulation

**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: Health and Human Rights**

**Dr. Melanie Levy - TAU**

**Credits: 2**

**Course number: 1411-7444-01**

**Time: THIRD QUARTER**

**Course Description:**

This course provides an opportunity to explore ways in which human health is interrelated with human rights. It studies and assesses 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 considers the meaning of the international right to health, stressing the interactions between civil and political rights, on the one hand, and economic, social, and cultural rights, on the other. Although the course focuses broadly on health and human rights issues, special consideration is given to the right to health as enshrined in the International Covenant on Economic, Social, and Cultural Rights. The course also refers to other international instruments (e.g., International Covenant on Civil and Political Rights, Convention on the Elimination of all Forms of Discrimination Against Women), 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 critically analyzes the human rights dimensions of a variety of health challenges through in-depth case studies (Part II: Applying the health and human rights framework to different health topics). These case studies cover infectious diseases such as AIDS/HIV and COVID-19, non-communicable diseases, medicine and markets, sexual and reproductive health, and prison health. Finally, the course identifies 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 also debates current critiques of the rights' discourse and analyzes future directions of health and human rights in an age of populism and (post) COVID-19 (Part III: Beyond the rights' discourse).

**Grade Components: 90 % Take Home Exam & 10% 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

**Course: The Israeli-Palestinian conflict - two points of view**

**Dr. Daphna Shruga - UN**

**Credits: 2**

**Course number: 1411-7071-01**

**Time: THIRD 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 (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: Criminal Justice in Israel**

**Prof. Kenneth Mann**

**Credits: 2**

**Course number: 1411-7044-01**

**Time: THIRD 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 attendance is a prerequisite for taking the exam.**

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

**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: Climate Change and Human Rights: Litigation, Regulation, and Advocacy**

**Dr. César Rodríguez-Garavito - New York University School of Law**

**Credits: 2**

**Course number: 1411-7720-50**

**Time: FOURTH QUARTER**

**Course Description:**

As the climate emergency intensifies, rights-based climate cases – litigation that is based on human rights law – are becoming an increasingly important tool for securing more ambitious climate action. This offers a systematic analysis of the universe of these cases known as human rights and climate change cases. By combining readings and in-class exercises about theory, empirical documentation, and strategic debates involving scholars and practitioners from around the world, the course covers the roots, legal innovations, empirical richness, impact, and challenges of this dynamic field of sociolegal practice.

**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: Transnational Law and Policy of Energy in the Mediterranean & North African (MENA) Region**

**Prof. Robert Howse - New York University School of Law**

**Credits: 2**

**Course number: 1411-7719-50**

**Time: FOURTH QUARTER**

**Course Description:**

The course will cover both fossil fuel and renewable energy, environmental and social dimensions of energy development in the region, private/public partnerships, the role of development banks and sovereign wealth funds, energy-related provisions of regional trade and investment agreements, transnational energy cooperation agreements and arrangements, energy transit including pipelines, management of political risk, boundary and territorial issues, and challenges of conflict areas.

**Grade Components:** 100% Final Paper

**COURSE DESCRIPTIONS – BY QUARTER – 2022-2023**

**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. Peter Yu - Texas A&M University**

**Credits: 2**

**Course number: 1411-7718-50**

**Time: FOURTH QUARTER**

**Course Description:**

Through a review of multilateral treaties and relevant laws, this seminar covers the international components of copyrights, patents, trademarks, trade secrets, and other forms of intellectual property rights. The course also examines recent developments in the European Union, the United States, and Asia and problems of enforcing intellectual property rights in developing countries.

**Grade Components:** 100% Final Paper

**COURSE DESCRIPTIONS – BY QUARTER – 2022-2023**

**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: Due Process and Transnational Litigation**

**Prof. Simona Grossi - Loyola Law School Los Angeles**

**Credits: 2**

**Course number: 1411-7717-50**

**Time: FOURTH QUARTER**

**Course Description:**

This course covers topics that might present challenges in transnational litigation, including jurisdiction, forum non conveniens, class action, sovereign immunity, enforcement of judgments.

**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: Food Law and Policy**

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

**Credits: 2**

**Course number: 1411-7576-50**

**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 and other supply chain disruptions. 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% Take Home Exam