

<<国际商法>>

图书基本信息

书名：<<国际商法>>

13位ISBN编号：9787503647345

10位ISBN编号：7503647345

出版时间：2004-3

出版时间：法律出版社

作者：姜作利

页数：348

字数：380000

版权说明：本站所提供下载的PDF图书仅提供预览和简介，请支持正版图书。

更多资源请访问：<http://www.tushu007.com>

<<国际商法>>

内容概要

本书采取与国际接轨的读者中心主义写作风格，通过最流行、最标准的英语讲述国际商法，有利于读者掌握用英语国际商法内容的正确方法。

本书运用大量案例和图表，将复杂的内容直观化，有利于读者有短时间内了解国际商法的概貌。

本书内容充实，文笔轻松时尚，且图文并茂，是国内大专院校开展法律双语教学的最佳教材。

作者编著这部英文版的专著性国际商法教材，主要基于以下原因：一、适应我国高校法学专业学生学习国际商法之需要。

二、为把中国相关法律推向国际市场，扩大我国在国际社会的影响贡献力量。

本书具有以下特点：一、吸收了多部国外国际商法教材的优点，尽量将原汁原味的法律知识奉献给读者。

二、尽量体现中国的特色。

<<国际商法>>

作者简介

姜作利，男，1956年2月，山东蓬莱人，山东大学法学院副教授，硕士生导师、世界罗马法研究会理事、山东省调解委员会调解员、山东省济南市国际贸易法学会副会长。
于1995 - 1997年在意大利罗马大学法学院研究国际经济法和罗马法，曾应邀在波罗尼亚大学、罗马大学、萨萨里大学

<<国际商法>>

书籍目录

Chapter One Introduction to International Business Law	I. What is International Business Law?	II.
History of International Business Law	. Sources of International Business Law	A. National Law
B. International Treaties and Conventions	C. International Model Law	D. International
Trade Customs and Usages	IV. International Organizations	A. Organizations Affiliated with the
United Nations	B. Other International Organizations	V. Comparison of Municipal Legal Systems
A. The Roman Germanic Civil Law System	B. The Anglo American Common Law System	VI.
International Business Law and China	Chapter Two Forms of International Business	I. Some International
Trade Theories	A. Specialization	B. Absolute Advantage
D. Opportunity Cost	. Exporting	A. Direct Exporting
Government Controls over Trade	A. Tariffs	B. Nontariff Barriers to Trade
Restrictions	IV. International Licensing Agreement	A. Technology Transfer
Franchising	Chapter Three Legal System of International Business	I. United Nations Convention on
Contracts for the International Sale of Goods (CISG)	A The Development of International Business Law	
B. The Drafting of the CISG	C. Applicability of the CISG	D. Interpreting of the CISG
Case 3—1 Raffles v. Wichelhaus and Another	II. UNIDROIT Principles of International Commercial	
Contracts (PICC)	A. Origin and Preparation of the UNIDROIT PICC	B. Structure and Scope of
the UNIDROIT PICC	C. General Principles of the UNIDROIT PICC	D. The purposes of the
UNIDROIT PICC	E. Comparison of the UNIDROIT PICC and CISG	. International Rules for
the Interpretation of Trade Terms	A. Concept and Role of Trade Terms	B. Contents of Incoterms
2000	C. FOB (free on board) (port of shipment)	D. CIF (cost, insurance and freight) (port of
destination)	E. Modification of Trade Terms	Case 3—2 Kumar Corporation v. Nopal Lines, Ltd
Chapter Four Contract Law for the International Sale of Goods	I. Definition and Form of Contract	
A. Definition of Contract	B. Form of Contract	. Validity and Formation of International Sale of
Contracts	A. Invitation Offer	B. The Offer
Forms	Case 4—1 Filanto v Chilewich International Corporation	C. The Acceptance
Law	Case 4—2 Hamer v. Sidway	Case 4—3 Fiege v Boehm
A. Fraudulent Misrepresentation	B. Innocent Misrepresentation	C. Negligent (innocent)
Misrepresentation	IV. Mistakes	A. Common Law
PICC	D. China Contract Law	B. Civil Law
v. Ackley	B. Civil Law	C. The UNIDROIT PICC
A. Common Law	B. Civil Law	C. The UNIDROIT PICC
. Undue Influence and Unconscionable (unjust) Conduct	A. Common Law	Case 4—4 Stambovsky
Commercial Bank of Australia Ltd , v. Amadio	B. Civil Law	C. The UNIDROIT PICC
China Contract Law	Chapter Five Contract Law for the International Sale of Goods (continued)	I.
Remedies for Breach of Contract	A. General Principles of Remedies	Case 5—1 Prutch v. Ford
Motor Company	B. Buyer ' s Remedies	C. Seller ' s Remedies
Both Buyers and Sellers	Case 5—2 Delchi Carrier, SpA v. Rotorex Corporation	. Anticipatory
Breach of Contract and Exceptio non Adimpleti Contractus in Civil Law	A. Anticipatory Breach in	
Common Law	B. Exceptio non Adimpleti Contractus in Civil Law	. Liquidated Damages
A. Common Law	B. Civil Law	C. The UNIDROIT PICC
. Obligations of the Seller and the Buyer	A. Seller ' s Obligations	B. Buyer ' s Obligations
Case 5—3 The Natural Gas Case	V. Passing of Risk	A. Common Law
C. China Contract Law	VI. Passing of Property	A. Common Law
C. China Contract Law	. Excuses for Nonperformance	A. Common Law
Transatlantic Financing Corporation v. United States	B. The UNIDROIT PICC	Case 5—4
		C. The CISG

<<国际商法>>

- D. Force Majeure Clauses Chapter Six Carriage of Goods by Sea and Marine Cargo Insurance I.
- Charterparties A. Voyage Charterparties B. Time Charterparties C. Charterparties by Demise
- Bills of Lading A. Laws of Bills of Lading B. Characteristics of the Bills of Lading
- C. Transfer of Property under A Bill of Lading D. Carrier ' s Duties under A Bill of Lading
- E. Carrier ' s Immunities F. Delayed Bills of Lading G. Frauds on Bills of Lading
- Marine Cargo Insurance A. Marine Insurance Policies and Certificates B. Perils and Losses
- C. Insurance Cover Chapter Seven Finance of International Trade I. The Bill of Exchange A.
- Origin of Bills of Exchange B. The Law Governing Bills of Exchange C. Types of Bills of Exchange
- D. General Requirements and Rights of the Holder in Due Course E. Common Procedures in Handling Bills of Exchange
- II. Collection of Documentary Bills Through Banks A. Types of Collection B. Advantages of Collection
- Letters of Credit (L/C) A. Law Applicable to Letters of Credit B. Types of Letters of Credit
- C. The Stages of Arranging and Advising A Letter of Credit D. Independence Principles and Rule of Strict Compliance E. Fraud Exception in Letters of Credit Transaction Case 7 - 1 Szejn v. Henry Schroeder Banking Corp IV. International Factoring
- A. Definition and Historical Development B. Obligations of the Parties C. Advantages of International Factoring for Chinese Merchants Chapter Eight Partnership Law I. Definition and Creation of a Partnership
- A. Definition B. Creation of a Partnership II. Property of a Partnership
- A. Scope of Partnership Property B. Ownership and Possession C. Creditors of Partners
- Partners ' Rights and Duties A. Right to Compensation B. Duty of Loyalty and Good Faith
- C. Duty of Care in Partnership Business D. Enforcement of Partnership Rights and Liabilities
- IV. Dissolution of the Partnership A. Nonwrongful Dissolution B. Wrongful Dissolution
- C. Automatic Dissolution D. Dissolution by Court Order V. Winding Up A. Powers during Winding up
- B. Duties of Partners during Winding up C. Compensation for Winding up Chapter Nine The Law of Corporations I. History and Nature of Corporations A. History of Corporations
- B. The Principal Characteristics of the Corporation C. Promoters D. Piercing the Corporate Veil and Related Problems II. Sources of Corporate Financing A. Common Stock
- B. Debt Securities Shareholders ' Rights and Liabilities A. Shareholders ' Meetings B. Shareholders ' Election of Directors C. Fundamental Corporate Changes D.
- Shareholders ' Inspection and Information Rights E. Distribution to Shareholders F. Shareholders ' Lawsuits
- G. Shareholders ' Liabilities IV. Management of Corporations A. The Board of Directors B. Officers of the Corporation & laquo;
- C. Directors ' and Officer ' s Duties to the Corporation V. Termination of Corporations A. Dissolution by Agreement B. Involuntary Dissolution Chapter Ten Law of Foreign Investment Enterprises of China I. China ' s Fundamental Policies for Encouraging Foreign Investments A. Sources of Foreign Investment Law of China
- B. More Sectors Opened C. Categories of Investment Projects D. Government Guarantees II. Law of the People ' s Republic of China on Chinese Foreign Equity Joint Ventures A.
- Definition and Legal Characteristics B. Establishment and Registration C. Sources of Investment D. Administrative Management E. Liquidation
- Law of the People ' s Republic of China on Chinese Foreign Contractual Joint Ventures A. Definition and Leg’l Characteristics B. Establishment of China Contractual Joint Ventures C. Administrative Management D.
- Distribution of Earnings and Recovery of Investments IV. Law of the People ' s Republic of China on Foreign Capital Enterprises A. Establishment of China Foreign Capital Enterprises B. Business Form and Registered Capital C. Methods of Investment Contribution Chapter Eleven Intellectual Property Right Law I. The Creation of Intellectual Property Rights A. Copyrights B. Patents
- C. Trademarks D. Know-how II. International Provisions A. Comprehensive Agreements B. Artistic Property Agreements C. Industrial Property Agreements
- International Licensing Agreements A. Characteristics of International Licensing Agreements B.

<<国际商法>>

Major Issues in International Licensing Agreements Chapter Twelve GATT and WTO Law I. The Founding
of GATT A. Trade Barriers B. Trade Liberalization Through Cooperation C. Scope and
Coverage of GATT 1947 and GATT 1994 II. Major Principles of GATT 1994 A. Multilateral Trade
Negotiations B. Most-favorednation Treatment C. National Treatment D. Tariff-based
Import Restriction . The World Trade Organization (WTO) A. The WTO and the Economic
Globalization B. Legal Structure of the WTO C. WTO Antidumping Agreement IV. WTO
Dispute Settlement Procedures A. Deficiencies in the GATT 1947 Dispute Process B. WTO
Dispute Settlement Procedures Chapter Thirteen The Law of Agency I. Creation of Agency A.
Formation B. Capacity C. Nondelegable Duties . Duties of Agent and Principal A.
Duties of Agent to Principal B. Duties of Principal to Agent Case 13—1 Willis v Champlain
Cable Corp . Termination of an Agency A. Act of the Parties B. Operation of Law
C. Post-Termination Relationship IV. Third Party Relations of the Principal and the Agent A.
Contract Liability of the Principal B. Contract Liability of the Agent Chapter Fourteen International
Commercial Dispute Settlement I. Settlement of Disputes through Municipal Courts A. Jurisdiction
and Venue Case 14—1 In Re Union Carbide Corporation Gas Plant Disaster at Bhopal B.
Enforcement of Foreign Judgment II. International Tribunals A. International Court of Justice
B. International Center for the Settlement of Investment Disputes . Alternative Dispute Resolution
A. Negotiation B. Mediation C. Mini-trial IV. Commercial Arbitration A.
Definition and Special Features B. The Applicable Procedure Law C. The Applicable Substantive
Law D. Arbitration Agreement and Arbitration Clauses E. Recognition and Enforcement of
Awards F. Enforcement of Foreign Arbitral Awards in the People ' s Republic of China Bibliography

版权说明

本站所提供下载的PDF图书仅提供预览和简介，请支持正版图书。

更多资源请访问:<http://www.tushu007.com>