

Master's Degree in Law

Study Path: Organizations, Enterprises, Markets

Business contracts and new technologies

2023/2024, V year, II Semester, 6 ECTS

Prof. Maria Luisa Chiarella

Course Information	Master's Degree in Law (LMG/01) 5 th year, Study Path: Organizations, Enterprises, Markets, II semester, 45 hours. A.Y. 2023/2024.
Professor information	Maria Luisa Chiarella, Associate professor of Private law (Health Sciences Department) Contacts: mlchiarella@unicz.it , 0961.3694920 Reception by appointment: Tuesday, h. 10.30, room 14, "S. Venuta University Campus", Legal-economic area building.
Course Description	The course deals with the main figures of business contracts contained in the civil code and complementary laws, in the light of the innovations that emerged on legislative and jurisprudential ground in recent years and of the doctrinal debate.
Course objectives and expected learning outcomes	The course aims to provide students with the fundamental notions of business contracts, with particular attention to the role of the <i>lex specialis</i> , constitutional rules and European law, the importance of jurisprudence and interplay with other legal disciplines. At the end of the course, the student must be able to describe the physiognomy of business contracts and the related discipline, must have acquired a method for analyzing and solving problems of easy and medium difficulty, must know how to use law language, must have acquired mastery of the main special laws that regulate the field.
Program (contents, methods of development); Possible distinction of programs between attending and non-attending students	The course deals with the analysis of contractual types functional to the exercise of enterprise with reference to both consumer and business-to-business contracts. Particular attention is paid: (i) to the examination of contractual asymmetries and to the identification of transtypical tools for the protection of the weak contractor in the event of inequality of bargaining power and (ii) to issues relating to contract law in digital markets. Variations to the program and to the study texts will be agreed with the attending students.
Estimate of the commitment required for individual study in terms of hours	150 hours.
Teaching methods	Lectures and seminars.

Learning resources (recommended textbooks, further recommended reading, other didactic material)	Suggested books: CHIARELLA M.L., <i>Contrattazione asimmetrica. Segmenti normativi e costruzione unitaria</i> , Giuffrè, 2016, pp. 45-222. QUARTA A., SMORTO, G., <i>Diritto privato dei mercati digitali</i> , Mondadori, 2020, pp. 179-																														
	225. Suggested readings: QUARTA A., SMORTO, G., <i>Diritto privato dei mercati digitali</i> , Mondadori, 2020, pp. 1-177; GITTI G., MAUGERI M., NOTARI M., <i>I contratti per l'impresa. I. Produzione, circolazione, gestione, garanzia</i> , il Mulino, 2012, chapters: 1, 2, 4.																														
Support Activities	Reception activities and seminars.																														
Modality of Attendance	Attendance is not compulsory. Attending students will be able to take intermediate tests.																														
Modality of Assessment of knowledge	<table border="1" data-bbox="440 994 1385 2136"> <thead> <tr> <th data-bbox="440 994 568 1133">Grade</th> <th data-bbox="568 994 826 1133">Knowledge and understanding of the topic</th> <th data-bbox="826 994 1102 1133">Ability to analyze and synthesize</th> <th data-bbox="1102 994 1385 1133">Use of references</th> </tr> </thead> <tbody> <tr> <td data-bbox="440 1133 568 1308">Fail</td> <td data-bbox="568 1133 826 1308">Severe shortcomings and inaccuracies</td> <td data-bbox="826 1133 1102 1308">Irrelevant. Frequent generalizations. Inability to synthesize</td> <td data-bbox="1102 1133 1385 1308">Completely inappropriate</td> </tr> <tr> <td data-bbox="440 1308 568 1411">18-20</td> <td data-bbox="568 1308 826 1411">Sufficient. Important shortcomings.</td> <td data-bbox="826 1308 1102 1411">Sufficient capabilities</td> <td data-bbox="1102 1308 1385 1411">Sufficient</td> </tr> <tr> <td data-bbox="440 1411 568 1621">21-23</td> <td data-bbox="568 1411 826 1621">Basic knowledge</td> <td data-bbox="826 1411 1102 1621">The student is capable of correct analysis and synthesis, argues logically and consistently</td> <td data-bbox="1102 1411 1385 1621">The student uses standard references</td> </tr> <tr> <td data-bbox="440 1621 568 1859">24-26</td> <td data-bbox="568 1621 826 1859">Satisfactory. Good knowledge</td> <td data-bbox="826 1621 1102 1859">The student has good analysis and synthesis skills. The arguments are expressed consistently</td> <td data-bbox="1102 1621 1385 1859">The student uses standard references</td> </tr> <tr> <td data-bbox="440 1859 568 1998">27-29</td> <td data-bbox="568 1859 826 1998">Very Good</td> <td data-bbox="826 1859 1102 1998">The student has considerable skills in analysis and synthesis</td> <td data-bbox="1102 1859 1385 1998">The student deepened the topics of the exam</td> </tr> <tr> <td data-bbox="440 1998 568 2136">30-30L</td> <td data-bbox="568 1998 826 2136">Excellent</td> <td data-bbox="826 1998 1102 2136">The student has excellent analysis and synthesis skills</td> <td data-bbox="1102 1998 1385 2136">Important insights.</td> </tr> </tbody> </table>			Grade	Knowledge and understanding of the topic	Ability to analyze and synthesize	Use of references	Fail	Severe shortcomings and inaccuracies	Irrelevant. Frequent generalizations. Inability to synthesize	Completely inappropriate	18-20	Sufficient. Important shortcomings.	Sufficient capabilities	Sufficient	21-23	Basic knowledge	The student is capable of correct analysis and synthesis, argues logically and consistently	The student uses standard references	24-26	Satisfactory. Good knowledge	The student has good analysis and synthesis skills. The arguments are expressed consistently	The student uses standard references	27-29	Very Good	The student has considerable skills in analysis and synthesis	The student deepened the topics of the exam	30-30L	Excellent	The student has excellent analysis and synthesis skills	Important insights.
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