



PIDA Training

INTERNATIONAL CONTRACTS: *Study of a mock case* **Negotiating, Drafting, Dispute Resolution, Different Cultural and Legal Approaches**

Under the auspices of the **ICC Institute of World Business Law**

Dates: 23 – 26 February 2009 (3^{1/2} days)

Venue: **International Chamber of Commerce**
38 Cours Albert 1er, 75008 Paris, France

EARN

23.5 CLE credits
19.5 MCLE credits
19.5 CPD hours
19.5 CNB hours*

Objective

The success of international business depends on the quality of contracts signed. Too often, if the relationship between parties happens to deteriorate, loopholes in the contract make the situation worse; had the contract been better drafted the relationship could have been preserved. Negotiating and drafting a contract are skills and techniques that need to be learned, as does managing the “post-contract” and dealing with different kinds of conflict resolution. **This seminar will focus on the main problems that arise in international contracts and particular attention will be given to avoiding disputes.**

This programme can be credited towards training under the “taxe de formation professionnelle” in France (organization registered under 11 75 4089 275).

** This training has been sent for CNB approval.*



International Chamber of Commerce

The world business organization

Events Department

INTERNATIONAL CONTRACTS: *Study of a mock case* **Negotiating, Drafting, Dispute Resolution, Different Cultural and Legal Approaches**

Who should attend?

- Legal directors and corporate counsel from companies involved in international trade;
- Practising lawyers;
- Legal practitioners advising international trading companies;
- Business people involved in international trade and dispute resolution.

Working methods

- **Study of a mock case**, reflecting the reality and practices of international business, within working groups limited to roughly 10 participants. The mock case will be sent to participants before the training so that they can read the facts, prepare for working in groups and identify the contractual issues which will be addressed during the negotiations.
- Technical and practical presentations with international experts.
- Debate amongst participants and speakers during interactive plenary sessions.

Monday 23 February

9.30 a.m. – 5.00 p.m.

9.00 – 9.30 a.m. Registration

Introduction and negotiation

MORNING

- Presentation of ICC – Introduction
- Strategies and techniques of negotiation – “Getting to yes”

AFTERNOON

- Working groups on negotiations
- Report from the working groups and discussion

Tuesday 24 February

9.30 a.m. – 5.00 p.m.

Drafting

MORNING

- Essential and accessory clauses
- ICC Model Clauses (Force Majeure, Hardship and Confidentiality clauses)
- Drafting techniques

AFTERNOON

- Working groups on drafting essential clauses negotiated the previous day
- Report from the working groups and discussion

Wednesday 25 February

9.30 a.m. – 5.15 p.m.

Prevention and methods of dispute resolution

MORNING

- Why and what to do when contracts go wrong? The grounds of failure – Renegotiation strategies
- Dispute resolution: State Tribunals, ADR, arbitration or combination of the “med-arb”?
- Dispute Boards and ADR – Technical expertise
- ICC arbitration

AFTERNOON

- Working groups on the conflict resolution clause
- Report from the working groups and discussion

Thursday 26 February

9.30 a.m. – 1.00 p.m.

Different cultural and legal approaches

MORNING

- Importance of cultural and legal differences – Civil law vs. Common law approach
- Contract Negotiation in the People's Republic of China
- Practising international contracts in Japan and in the Arab world
- Practising international contracts in the Arab world
- Topical subject: Introduction to Incoterms
- Conclusion

How to register

Easier, faster and save 20 Euros, register online* at www.iccevents.org (*Secured payment by credit card) or complete and return the registration form indicating method of payment to: events@iccwbo.org

Post: ICC SERVICES, Events Department

38 Cours Albert 1er, 75008 Paris, France **Tel** +33 (0)1 49 53 28 70 **Fax** +33 (0)1 49 53 30 30

Registration will be confirmed upon receipt of the registration form and registration fees.

Working languages

French and English, with simultaneous interpretation.

Admission requirements for candidates

To be admitted, candidates should speak one or both of the training's working languages (English and/or French) and have experience in negotiating and managing international contracts. The number of participants is limited to 50 in plenary sessions and 10 in working groups to encourage active participation. All participants are expected to be present for every session.

Registration fees

Until 12 January 2009: "Early-bird" special

- For ICC members: **1 450 euros** (excluding VAT)
- For non-members: **1 570 euros** (excluding VAT)

After 12 January 2009:

- For ICC members: **1 620 euros** (excluding VAT)
- For non-members: **1 740 euros** (excluding VAT)

The registration fee covers all seminar activities including documentation, lunches, coffee breaks and the social programme.* Travel and hotel expenses are not included.

* To help strengthen ties between the participants, we propose (optional): cocktails on Monday, a dinner on Tuesday, and a guided visit of the Louvre Museum on Wednesday.

Travel and accommodation

Participants are responsible for making their own travel arrangements and hotel reservations. A list of hotels in Paris, with which ICC has negotiated preferential room rates, will be sent upon receipt of the registration form.

Credits and hours

ICC Events is eligible for CLE credit under **New York's** approved jurisdiction procedures, is a State Bar of **California** approved MCLE provider and is a Solicitors Regulation Authority and General Council of the Bar of **England** and **Wales** External CPD Course Provider. **French Bars:** This training has been sent for CNB approval.

This programme can be credited towards training under the "taxe de formation professionnelle" in France (organization registered under 11 75 4089 275).

Cancellation charge

50 % of the registration fee will be refunded if notice of cancellation is received in writing **before 19 January 2009**. Cancellations after this date are not refundable. Subject to agreement from ICC Events prior to the training, the registration may be transferred to another person from the same company or organization at no extra charge. Updated registration material will be required.

INTERNATIONAL CONTRACTS: *Study of a mock case*
Paris, 23 – 26 February 2009

Register online and save 20 Euros! www.iccevents.org

or complete and return to events@iccwbo.org Fax: +33 1 49 53 30 30

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Registration
fees

Amount (excluding VAT) for:

- residents outside EU
- residents in EU with intra-community VAT No.

VAT 19,6%

Amount (including VAT) for:

- residents in France
- residents in EU without intra-community VAT No.

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Registration until 12 January 2009: "Early-bird" special		Registration after 12 January 2009	
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Data
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The details you provide on this form will be used for registration purposes. They will be stored in ICC's databases for the sole use of ICC (the International Chamber of Commerce and its wholly-owned affiliate ICC Services). Under the French law 'informatique et libertés' of 6 January 1978, you may have access to these details and request deletions and corrections at any time by contacting ICC at registrationevents@iccwbo.org. The details you provide may be used by ICC to keep you informed of developments in your area of activity through publications, subscriptions, events and other commercial offers. Please indicate if you wish to receive such information:

Please tick below if you wish to receive commercial offers from associated organizations, including in particular ICC National Committees:

☐ Yes ☐ No
☐ Yes



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- **Serge Lazareff**
Avocat à la Cour, France

Chairman of the PIDA Training

- **Sigvard Jarvin**
Of. Counsel, Jones & Day, France

Speakers

- **Mohammed Chemloul***
Partner, Chemloul & Associés, Algeria
 - **Michelangelo Cicogna**
Partner, De Berti-Jacchia, Italy
 - **Kristin Karsten**
Partner, Perrine, Ribierre & Redding, France
 - **Philippe Pinsolle**
Avocat Associé; Barrister, Shearman & Sterling LLP, France
 - **Christoph Martin Radtke**
Partner, Lamy & Associés, France
 - **Matthew Secomb**
Associate, White & Case LLP - Paris, France
 - **Jingzhou Tao**
Partner, Jones Day, China
 - **Benoît Teston**
Director Legal Affairs, Natixis, France
 - **Pierre Verkhovskoy**
Of. Counsel, Clifford Chance, France
- * *to be confirmed*

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