



Faculté de Droit et  
de Science Politique  
Aix-Marseille Université



# LL.M in *International and Comparative Business Law*

Aix-en-Provence 2023/2024

The Faculty of Law of Aix-en-Provence (France) offers a LL.M entirely in English.

Students must demonstrate competency in the English language and have a law degree (*Licence en droit*, LLB or equivalent) or at least must have completed two years of a Juris Doctorate.

For further information please contact:

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**U1. International and European Economic Regulations (44h)**

- *European Procedures* – Florian Bien (6h) SEMESTER 1
- *International Criminal Law* – O. Malaterre (12h) SEMESTER 2
- *Global Antitrust Law* – R. Podszun (12h) SEMESTER 2
- *European Consumer Law* – E. Poillot (6h) SEMESTER 2
- *Data Law* – M. Bourgeois (8h) SEMESTER 2

**U2. International and Comparative Corporate Law (44h)**

- *Corporate Law* – G. Grundeler (6h) SEMESTER 1
- *English Commercial Law* – J.-B. Tap (20h) SEMESTER 1
- *Establishing US Companies in Europe, A Tax Law Perspective* – A. Pouchard (6h) SEMESTER 2
- *Economic Analysis of Firms*
  - » *Market Power* – F. Marty (6h) SEMESTER 2
  - » *Vertical Integration* – P. Garelo (6h) SEMESTER 2

**U3. International Contracts & Obligations (42h)**

- *Contract Law (UK, US, EU)* – D. Mouralis (9h) SEMESTER 1
- *Contract Law, an Economic Analysis* – P. Garelo (6h) SEMESTER 1
- *International Tort Law* – S. Steel (9h) SEMESTER 1
- *Property Security Law* – V. Mazeaud (6h) SEMESTER 1
- *International and Comparative Contract Law* – L. Thibierge (12h) SEMESTER 2

**U4. International Proceedings (44h)**

- *International Arbitration Law* – D. Mouralis (15h) SEMESTER 1
- *Arbitration, workshop* – L. Thibierge – H. Le Lay (6h) SEMESTER 1
- *International Litigation* – M.-H. Bartoli (6h) SEMESTER 1
- *Complex Arbitration* – B. Mirza (3h) SEMESTER 2
- *International Commercial Law Proceedings* – M. Tetenborn (6h) SEMESTER 2
- *Mediation and other ADR methods* – S. Gmurzynska (8h) SEMESTER 2

**U5. IP Rights in a Global Context (46h)**

- *European and International IP Law* – M. Mossé (12h) SEMESTER 1
- *European and International IP framework workshop* – M. Mossé (3h) SEMESTER 1
- *European Digital Law* – M. Mossé (12h) SEMESTER 1
- *European and International Trademarks* – S. Martin (5h) SEMESTER 1
- *Digital Law* – M. Mossé (14h) SEMESTER 2

**U6. International Private Law (32h)**

- *Conflicts of Laws in Contractual Disputes in Europe* – D. Mouralis (5h) SEMESTER 1
- *Conflicts of Laws in Competition Disputes* – D. Bosco (12h) SEMESTER 1
- *International Private Law of the Contract* – M. Major (9h) SEMESTER 2
- *International Conflicts of jurisdiction* – E. Lein (6h) SEMESTER 2

**U7. Linguistic Skills (Optional) (60h)**

- *Legal English* (30h)
- *Legal French* (30h)

## Directors

### **David BOSCO**



David BOSCO is Professor of Law at Aix-Marseille University. He is the director of the Center for Economic Law. He directs the encyclopedia on competition and consumer law published by Lexis Nexis. His latest book will be published in 2023, on European Competition Law (Bruylant 2023).

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### **Claude-Albéric MAETZ**



Claude-Albéric MAETZ is a Senior Lecturer at Aix-Marseille University. He is the codirector of the Institute of Business Law and of two specialized Masters, one in distribution/competition law and the other in intellectual property law. He specializes in the protection of intangible assets and intangible property of companies (reputation, goodwill, etc.). He has also developed an expertise in sports law and chairs the Legal Committee of the French Professional Soccer League.

## Teachers

### **Mrs. Marie-Hélène Bartoli Vallet**

*International litigation*



Marie-Hélène Bartoli Vallet is a Counsel in Alerion's Litigation, arbitration and white-collar crime practice.

She advises and represents clients before domestic courts and arbitral tribunals in relation with commercial disputes. She has developed a specific expertise in complex international disputes and international commercial arbitration.

Prior to joining Alerion in 2020, Marie-Hélène Bartoli Vallet worked for nine years as an associate in the Dispute Resolution team at Gide Loyrette Nouel.

Admitted to the Paris Bar in 2011, she holds a Master's degree in Litigation, arbitration and ADR from Paris II Panthéon-Assas University and a Master's degree in Business law from Paris Dauphine University.

She was a teaching assistant in French contract law at the University of Paris Ouest Nanterre La Défense in 2012.

### **Pr. Florian Bien**

*European Antitrust Procedure*



**Prof. Dr. Florian Bien** holds the Chair for Global Business Law, International Arbitration Law and Private Law at the Julius Maximilians University of Würzburg. In addition to that, he acts as the Director of the Würzburg Graduate School Law, Economics, and Society since 2018. Before joining the Würzburg Law School, Professor Bien was a Senior Lecturer at the Eberhard Karls University of Tübingen, Germany (2007 - 2011) and at the University Paris 1 Panthéon-Sorbonne, France (2004 -2007), where he holds the position of a Maître de conférences associé. He is a regular guest professor of leading French universities, i. e. Aix-Marseille Université, Paris 1 Paris-Panthéon, Paris 2 Panthéon-Assas, Paris Ouest-Nanterre-La Défense, and Sciences Po Paris (Chair Alfred Grosser). He regularly publishes in the field of German and European Competition Law.

Education included a Master in European and International Law (« Maîtrise en Droit »), University of Aix-Marseille III, France (1999), First and Second State Examination, Tübingen, Germany (2001 and 2003), Doctorate and Habilitation in law, both University of Tübingen (2006 and 2011).

### **Mr. Matthieu Bourgeois**

*Data law* - - - - -



Matthieu Bourgeois is a lawyer at the Paris Bar since 2004. He has specialized in new technologies, information technology and communication law. He obtained a Professional Master's degree 2 (DESS) in Industrial Property Law (University of Paris II Panthéon-Assas) and a Research Master's degree 2 (DEA) in Private Wealth Law (University of Paris I Panthéon-Sorbonne).

Matthieu co-leads the IT Law & Intellectual Property Law team of a major Parisian business law firm and has developed an inno-

vative and multidisciplinary expertise in the field of data and digital technologies (data protection, open data, cybersecurity). He provides clients with a legal and strategic advice on all projects or activities related to these matters: online marketplaces and social networks, fashion and beauty, health, asset management, communication agencies, IT and communication technologies.

Aware of the emerging importance of data in all sectors of our economic and social life, Matthieu Bourgeois is the author of the publication «Droit de la Donnée - Principes théoriques et approche pratique» (Data Law: Theoretical Principles and Practical Approach) published by LexisNexis in 2017. He leads, with professor Louis Thibierge, the annual section « *Droit de la donnée* » as part of the review *Semaine Juridique Entreprise et Affaires*. He speaks at numerous conferences and high-level training sessions about new technologies law.

Founder and Vice President of the *Cercle de la Donnée*, an independent and multidisciplinary think-tank bringing together data specialists, he promotes the development of a French and European data network based on excellence and ethics. In this context, he has been leading, since 2020, a working group dedicated to digital sovereignty in partnership with Agora 41 (a think-tank for strategic discussions created by the French Cybersecurity Agency - ANSSI, of which he is also an active member). Four times a year, he also takes part in a discussion forum on *B-Smart French channel* called « *Le monde de la donnée* » (the world of data).

Matthieu is ranked as a leading lawyer in France in the areas of IP/IT and data protection.

### **Pr. Pierre Garelo**

*Economic Analysis of Contract Law* - -





**Pierre Garello** is currently a Professor of Economics at Aix-Marseille University and member of the Aix-Marseille School of Economics. He is the President of the Institute of Economic Studies-Europe, an NGO devoted to economic education. He is editor of the « *Journal des Economistes et des Etudes Humaines* » at [www.degruyter.com](http://www.degruyter.com) and since 2018 of the *Journal des Libertés* <https://journaldeslibertes.fr>

Besides taxation and public finance, his fields of specialization include Decision theory and the Economics of Law and Regulation based on insights from the Austrian school of economics. He is director of the Law and Economics Erasmus + Master Program at Aix-Marseille University. He received his Bachelor education from that same university and his PhD from New York University. He taught at the Universities of Montpellier and Saint Etienne, France and was invited to lecture in various places among which Warsaw, Sofia, Bucharest, Vilnius, Jena, Guatemala City, Washington, Roma, Vienna, Tbilisi, Torino, Mumbai, Istanbul, Gent, Paris, Hamburg, Cairo and Haifa.

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### **Dr. Ewa Gmurzyńska**

*Mediation and other ADR methods* - -



**Dr. Ewa Gmurzyńska** is an Associate Professor at the Faculty of Law and Administration of the University of Warsaw. She received her Ph.D. and habilitation degrees at the University of Warsaw and master degree (LL.M) at the University of Florida. Since 1998 she is the Director of the Center for American Law Studies at the Faculty of Law and Administration at the University of Warsaw. Ewa teaches ADR, mediation in legal disputes, mediation advocacy, introduction to US Law. She is the director of the Mediation Clinic and LL.M program in negotiation, mediation and other ADR at the University of Warsaw. She is a mediator

in civil, commercial and academic disputes as well as co-founder and member of the board of directors of the Foundation Center for Conflict and Dispute Resolutions. Her international experience includes teaching at Bahcesehir University in Istanbul, University of Helsinki and Bergen University. She teaches regularly since 2016 as an adjunct professor at Emory School of Law and Georgia State University College of Law. She is author of many articles and publications in the field of mediation and alternative conflict resolution.

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### **Mr. Guillaume Grundeler**

*Corporate law* - - - - -



**Guillaume Grundeler** is an Associate Professor of Business Law at Aix-Marseille University. He was awarded a doctoral degree in Law in 2014. He has been teaching at Aix-Marseille since 2009.

He currently teaches Business Law, Civil Law and Accountancy. His main interest is in the field of Company Law. He is a regular contributor to *Bulletin Joly Sociétés*, *Gazette du Palais* and co-authored the two latest editions of a book about Private Equity.

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### **Mr. Hervé Le Lay**

*Arbitration* - - - - -



A French Avocat, **Hervé Le Lay** is a partner in Brown Rudnick's International Litigation & Arbitration Practice. He is based in the Paris office.

He acted as counsel and as arbitrator in numerous arbitration proceedings both institutional (ICC, SCC, LMAA, etc.) and ad hoc (UNCITRAL) and before State courts. He often assists clients at a pre-litigation stage, including in mediations/conciliations.

Hervé is an arbitrator at the Court of Arbitration for Sports (CAS) and has a vast experience in sport-related arbitration (disciplinary, regulatory, commercial disputes).

Hervé Le Lay also has experience in International Trade Law and assisted in proceedings before the WTO and the European Commission.

He is a graduate of the Institut d'Etudes Politiques de Paris (Sciences Po), Université Paris Ouest-Nanterre, Université Panthéon-Sorbonne and the Ecole de Formation du Barreau de Paris (EFB).

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### **Pr. Eva Lein**

*Conflicts of jurisdictions* - - - - -



**Eva Lein** is a Professor at the University of Lausanne and Director of the Comparative Law Center at BIICL. Her fields of expertise are private international law, international dispute resolution and comparative law with a special focus on contract law and, more recently, digitalisation. At UNIL, she also co-directs the LLM in International Business Law.

She has also been a Honorary Senior Lecturer at Queen Mary University of London and at Queen Mary, Institute in Paris, a Visiting Professor at different institutions, including the Universities Paris I (Sorbonne) and II (Panthéon-Assas) and the University

of Vienna and a Scholar in Residence at the Center for Transnational Litigation and Commercial Law at NYU.

Eva is a qualified German lawyer fluent in English, French, Italian, Spanish and German. She has been lecturing in various countries and regularly speaks at conferences and seminars.

Her publications include topical issues of comparative contract law, private international law and dispute resolution. Recent publications focus on the subjects of contract law, dispute resolution and Covid19; cross-border commercial dispute resolution; the legal consequences of Brexit; and AI.

Eva has been acting as an expert for the House of Commons and the Law Society on Brexit in a cross-border context. She was also an expert and coordinator of comprehensive research studies for the UK Ministry of Justice, the European Commission, the European Parliament and Swiss Authorities.

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### **Mrs. Olinka Malaterre**

*International Criminal Law* - - - - -



**Olinka Malaterre** is a partner at TEMIME & Associés. She heads the Marseille office since June 2016.

A member of the Bar since 2011, after a first tenure with the American business law firm WEIL GOTSHAL, she joined TEMIME in 2013.

She mainly works in business criminal law, general criminal law and business litigation.

Olinka Malaterre taught at the Institute of Political Studies of Aix-en-Provence (Sciences-Po) the course "The art of convincing".

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**Pr. Vincent Mazeaud**

*Property security law* - - - - -



Vincent Mazeaud is a professor of private law. After a PhD at Sorbonne University regarding « *l'obligation de couverture* », he successively taught at the universities of Paris 12 and Clermont Auvergne and now Aix Marseille. He teaches contract law and security law.

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**Mr. Bassam Mirza**

*Complex arbitration* - - - - -



Bassam Mirza is a lawyer at the Paris and the Beirut Bars. He has 17 years' experience as counsel in international arbitration proceedings and complex cross-border disputes including annulment proceedings of arbitral awards before the Paris Court of Appeal. He also regularly sits as arbitrator (president, co-arbitrator or sole arbitrator) in ad hoc and international institutional arbitrations (ICC mainly) conducted in English, French and Arabic, and subject to wide range of applicable laws notably from the Arab and African countries.

He was a lecturer of French and Lebanese civil law at the Faculty of Law of Saint-Joseph University in Beirut from 2014 to 2020. Bassam Mirza, who is now splitting his time between France and Lebanon, is a

founding partner of Pellerin Kecsma Mirza (PKM Avocats), an international arbitration

boutique law firm with offices in Paris and Beirut ([www.pkm-avocats.com](http://www.pkm-avocats.com)). Prior to that, he practised international arbitration and litigation in Paris for more than seven years at prestigious international law firms (Linklaters LLP and Gide Loyrette Nouel) and headed the international arbitration practice group of a leading Middle Eastern law firm based in Beirut with offices in Saudi Arabia and the UAE. Having practised in both Europe and the Middle East, Bassam Mirza acquired significant experience of international arbitration and complex cross-border disputes covering various industries such as energy, mining, construction and engineering, telecommunications, distribution, corporate and project finance.

Bassam Mirza is a member of the French Arbitration Committee and the ICC Arab Arbitration Group, referenced as arbitrator on the ICC France list of arbitrators, representative of Lebanon on the Panel of Conciliators maintained by ICSID and member of the ICC Task Force on addressing issues of corruption in international arbitration.

He graduated in law from Saint-Joseph University in Beirut and holds a postgraduate degree in international law from the University of Paris II Panthéon-Assas as well as a postgraduate degree in litigation, arbitration and ADR from the same university. He is recognized by Who's Who Legal Arbitration as a Global Leader having an "outstanding legal knowledge", as "a great arbitrator who prepares his cases carefully" and as "a strong technician who provides very thorough analysis on substantial aspects of Lebanese law".

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**Mr. Marc Mossé**

*European Digital law* - - - - -



An associate professor at Aix-Marseille

University, **Marc Mossé** is a Senior Counsel with August & Debouzy. He is President of the French Association of In-House Lawyers (AFJE), and one of the founders of the French Digital Think Tank: *Renaissance Numérique*. He is a former member of the Copyright Advisory Board (CSPLA) to the French Ministry of Culture.

He has been General Counsel and Senior Director for EU Government Affairs at Microsoft Europe and prior to that he has served as Secretary General of Microsoft France.

After serving as an advisor to Robert Badinter in the Senate, he practiced as a lawyer at the Paris Bar and was named « 2<sup>nd</sup> Secrétaire de la Conférence du Stage des Avocats au Conseil d'Etat et à la Cour de Cassation ».

Marc is Deputy-Mayor of the City of Meudon (92) in charge of Innovation, Smart City and European Affairs, as well as member of the District of *Grand Paris Seine Ouest*.

Marc has a Law Degree in public law from the University of Paris V, a Law degree in European law from the University of Paris I. He is a graduate of Cours Florent Acting school.

### **Pr. Rupprecht Podszun**

*Global antitrust law* - - - - -



**Rupprecht Podszun** is a full professor for civil law and German and European competition law at the Heinrich Heine University of Düsseldorf, Germany, and the Director of the University's Institute for Competition Law.

He is also an Affiliated Research Fellow with the Max Planck Institute for Innovation and Competition, Munich. Rupprecht is the Vice President of Ascola, the Academic Society for Competition Law.

He is an editor of EuCML, the European

Journal for Consumer and Market Law, and WuW, a leading German competition law journal. Before joining academia he worked as a case handler in the Bundeskartellamt, the German competition agency. Rupprecht was one of two competition law professors to speak at Margrethe Vestager's pathbreaking conference "Shaping competition policy in the era of digitisation" in 2019. The focus of his research is on law for digital markets, abusive practices and merger control.

### **Pr. Elise Poillot**

*Consumer law* - - - - -



**Elise Poillot** is a full professor of Droit Civil in the Faculty of Law, Economy and Finance of the University of Luxembourg, which she joined in 2009.

A graduate from the University of Reims-Champagne-Ardenne, she conducted her PhD research in the field of European consumer law and has held post-doc positions in Germany (University of Münster) and in Italy (University of Turin). From 2005 to 2009 she has been associate professor in the Law Faculty of the Lyon III, Jean Moulin, University where she was also Deputy Director of the Edouard Lambert Institute of Comparative Law.

Her main fields of research and teaching have been, in a national comparative and EU perspective, consumer law and general contract law. In the last four years she has been deeply involved in setting up and directing the Consumer Law legal clinic in the University of Luxembourg, a programme that is strongly supported by the national Bar Council and has created a network of similar legal clinics throughout Europe. The network recently obtained an Erasmus Plus grant with the aim of setting shared best practices in clinical legal education. She



specialized in legal communication (popularization of legal language) and obtained FNR grant for the filming of a documentary related to popularization of the outcomes of legal research (PSP classic – Clinicity Project). More recently her research is focused on the transformation of the concept of civil law (droit civil) in civil law jurisdictions and on the impact of data protection on consumer law. She currently works on the topic of consumers profiling as the digitalization of markets and the deployment of Artificial Intelligence (AI) have opened new gates for profiling customers through the collection of personal data.

On all these topics she has extensively written (in French, English and Italian) both monographs and articles published in important law reviews and books edited by leading European scholars. She regularly presents the development of EU jurisprudence in the field of consumer law in the *Recueil Dalloz* and in the *Journal de Droit Européen*.

A member of several international associations of legal scholars, professor Poillot – who is fluent in English and Italian and has a good knowledge of German and Spanish – has promoted numerous cooperation agreements with French, Italian and Japanese universities and is regularly invited to hold lessons and conferences in foreign law schools. In 2015/16 she has been a member of the Italian national selection committee for full and associate professors of private law (ASN) and in 2017/18 a member of the Belgian universities study programmes evaluation committee. She is currently serving on the committee in charge of evaluating the research of Italian Universities (VQR). She is also on the editorial board of several law reviews among which the “European Consumer Law Journal”, the *Osservatorio di diritto civile e commerciale*, *Contratto e Impresa Europa* and *Cliniques Juridiques* and is a member of the scientific committee of the European Network for Clinical Education (ENCLE). She has been supervisor of numerous PhD candidates and on final academic committees and panels.

Professor Poillot served as Head of Research Unit in Law of the University of Luxembourg from 01/09/2018 to 31/12/2019 and as Head of the University of Luxembourg Professors’ Association from 01/07/2016 to 01/07/2020.

## **Dr. Sandy Steel**

*International tort law* - - - - -



**Sandy Steel** is Fellow in Law at Wadham College and Associate Professor of Law in the Faculty of Law at the University of Oxford. He read law (BA, PhD) at Corpus Christi College, Cambridge. He holds or held visiting appointments at the University of Hong Kong, the National University of Singapore, the University of Münster and New York University. He’s interested in philosophical and doctrinal questions about private law. His books include *Proof of Causation in Tort Law* (Cambridge University Press, 2015) and (with Nick McBride) *Great Debates in Jurisprudence* (2<sup>nd</sup> edn, 2018).

## **Pr. Andrew Tettenborn**

*International Commercial Law Proceedings* - - - - -



**Andrew Tettenborn** is a Professor of Commercial Law at Swansea University (U.-K.). His interests lie in private, commercial and maritime law generally. He teaches widely at Swansea in those subjects, and most years also teaches aspects of contract law at the University of Geneva in Switzerland.

Professor Tettenborn is a member of the Institute of International Shipping and Trade Law at Swansea University.

## **Pr. Louis Thibierge**

*Contract law - Arbitration - - - - -*



Louis Thibierge is a full professor (Agrége des facultés de droit) at Aix-Marseille University. He is the head of the DESU Economic Law and the Master 2 Droit Économique.

He specialises in business law, with a particular focus on contract law and arbitration law.

Pr. Thibierge is also a member of the Paris Bar, and acts both as a counsel and as a legal expert in front of national and foreign courts.

He regularly publishes in various legal journals, both French and foreign.

He is the author of a PhD thesis on force majeure and hardship at Université Paris I Panthéon-Sorbonne (*Le contrat face à l'imprévu*, dir. Pr. L. Aynès, Economica).



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*Cour de Cassation*



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