

Antoine Masson
Mary J. Shariff
Editors



Legal Strategies

How Corporations Use Law
to Improve Performance



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Legal Strategies How Corporations Use Law To Improve Performance

Antoine Masson, Gavin Robinson



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Legal Strategies, 2010 *Legal Strategies* Antoine Masson, Mary J. Shariff, 2014-11-21 Far from regarding the law as supreme corporations approach law as an element of executive thought and action aimed at optimizing competitiveness The objective of this book is to identify explore and define corporate legal strategies that seek advantage in the opportunities revealed when the Law is perceived as a resource to be mobilized and aligned with the firm s business and economic agendas

Legal Strategies Antoine Masson, Mary J. Shariff, 2009-12-12 Far from regarding the law as supreme corporations approach law as an element of executive thought and action aimed at optimizing competitiveness The objective of this book is to identify explore and define corporate legal strategies that seek advantage in the opportunities revealed when the Law is perceived as a resource to be mobilized and aligned with the firm s business and economic agendas *The Oxford*

Handbook of Corporate Law and Governance Jeffrey N. Gordon, Wolf-Georg Ringe, 2018-04-26 Corporate law and corporate governance have been at the forefront of regulatory activities across the world for several decades now and are subject to increasing public attention following the Global Financial Crisis of 2008 The Oxford Handbook of Corporate Law and Governance provides the global framework necessary to understand the aims and methods of legal research in this field Written by leading scholars from around the world the Handbook contains a rich variety of chapters that provide a comparative and functional overview of corporate governance It opens with the central theoretical approaches and methodologies in corporate law scholarship in Part I before examining core substantive topics in corporate law including shareholder rights takeovers and restructuring and minority rights in Part II Part III focuses on new challenges in the field including conflicts between Western and Asian corporate governance environments the rise of foreign ownership and emerging markets Enforcement issues are covered in Part IV and Part V takes a broader approach examining those areas of law and finance that are interwoven with corporate governance including insolvency taxation and securities law as well as financial regulation The Handbook is a comprehensive interdisciplinary resource placing corporate law and governance in its wider context and is essential reading for scholars practitioners and policymakers in the field **Mapping Legal**

Innovation Antoine Masson, Gavin Robinson, 2021-03-01 The legal sector is being hit by profound economic and technological changes digitalization open data blockchain artificial intelligence forcing law firms and legal departments to become ever more creative in order to demonstrate their added value To help lawyers meet this challenge this book draws on the perspectives of lawyers and creative specialists to analyze the concept and life cycle of legal innovations techniques and services whether related to legislation legal engineering legal services or legal strategies as well as the role of law as a source of creativity and interdisciplinary collaboration *Taming the Guerrilla in International Commercial Arbitration* Navin G. Ahuja, 2022-05-23 The book explores the definition and nature of guerrilla tactics in international commercial arbitration It analyses various such tactics deployed pre Covid and during Covid times and portrays them in a way that

enables one to visualise how and possibly why they might be deployed Attempts to codify ethical standards and rules regulating the behaviour of legal representatives in international arbitration are examined The book covers a range of culture clashes addresses several elephants in the room and looks at factors inherent in the arbitral process that create opportunities and increase temptations to misbehave It considers the remedies and sanctions available in international arbitration and compares them to those available to the courts in civil litigation In addition to recommendations for future research the book offers solutions to curb the problem in line with party autonomy and with a critical analysis This manuscript is an essential solutions based text that not only addresses a comprehensive range of modern day guerrilla tactics in international commercial arbitration but also offers thoughtful methods to deal with the shenanigans that parties may bring to the arbitral process Chiann Bao Independent Arbitrator Arbitration Chambers and Vice President of the International Chamber of Commerce Court of Arbitration Dr Ahuja s book is a thoughtful and highly practical contribution to the study of procedures in international commercial arbitration It is replete with scholarly analysis careful treatment of authority pragmatic insights and policy discussions Any practitioner or student of international arbitration would benefit from this volume Gary Born Author International Commercial Arbitration 3d ed 2021 A highly readable and informative book which identifies and analyses the numerous guerrilla tactics parties may attempt to deploy in international commercial arbitration the factors which may encourage such behaviour and practical mechanisms to keep the proceedings on track Both erudite and practical this book is a must read for parties counsel and arbitrators alike Prof Benjamin Hughes Independent Arbitrator The Arbitration Chambers Guerrilla tactics are a pertinent problem in arbitration Dr Ahuja s well written book not only describes the various tactics in a succinct way but provides extremely useful guidance on how to tackle them It will be a primary source of reference for every practitioner faced with such tactics Prof Dr Stefan Kr ll Chairman of the Board of Directors of the German Arbitration Institute DIS Taming the Guerrilla in International Commercial Arbitration offers a refreshingly candid and balanced discussion of sharp practices in international arbitration The book collects a wealth of information on guerrilla tactics previously only available in separate survey reports articles and guidelines on the topic It additionally includes a chapter addressing tactics deployed in virtual or remote arbitrations due to the Covid 19 pandemic The comprehensive research and analysis presented in this book make it a valuable resource to counsel parties arbitrators academics and those who deliver practical arbitration training A must read for those who want to better understand the practices that may lead some to disfavor arbitration and ways the arbitration community can respond to guerrilla tactics to improve the arbitration process for all participants Dana MacGrath Independent Arbitrator MacGrath Arbitration From an unreasoned fiat of a wise man who left both sides equally unhappy but resolved the disputes effectively arbitration has evolved into a full scale trial before a party chosen tribunal Its informality and expedition puts in peril the fundamental right of the recalcitrant to delay proceedings Dr Ahuja has assiduously articulated the measures aptly christened Guerrilla Tactics used to disrupt and derail

arbitrations An indispensable read for the practitioner and an insightful treatise for the policy maker Harish Salve SA QC Blackstone Chambers This book shines a spotlight on arbitration's dark arts guerrilla tactics Dr Ahuja illuminates this shadowy world with excellent and much needed scholarship that is practice based and useful for all stakeholders in arbitration His examination of the root causes of this problem recommendations on how to control it comparisons with litigation practice and suggestions for future research marvellously combine to make this a work that is required to be consulted by all serious counsel arbitrators institutions and academics in the field of arbitration Romesh Weeramantry Head International Dispute Resolution Centre for International Law National University of Singapore **Enforcing**

International Humanitarian Law via Individual Rights Vera Strobel, 2025-09-08 This book centres on the contribution of strategic litigation to the enforcement of international humanitarian law IHL with regard to armed conflicts around the world It examines the instrument of strategic litigation as a vehicle for access to justice and scrutinizes its possibilities and challenges for enforcing compliance with IHL in Germany In particular the novel approach of connecting IHL duties set out to protect civilians with individual rights claims and the increased presence of such arguments in strategic cases before domestic courts is analysed The monograph first provides a general introduction to the term of strategic litigation its actors and approaches It then explores the framework for access to justice in Germany and beyond as well as important past and current strategic cases Further the crucial impacts as well as raised concerns and key potentials of such cases are discussed Two detailed case studies are undertaken of the landmark proceedings before German courts in the Ramstein drone case with plaintiffs from Yemen and in the case on the Kunduz Afghanistan air strike These case studies scrutinize the procedural avenues the legal arguments the resulting court decisions the strategic litigation context and the important impact of the proceedings The work contributes significant and novel findings to the literature on IHL human and fundamental rights and strategic litigation Next to a primary research audience the book's findings are highly relevant for IHL practitioners individual and collective actors in strategic litigation NGOs courts and governments Vera Strobel is a researcher at the Chair of Professor Dr Thilo Marauhn in Public Law and International Law at the Justus Liebig University in Gießen Germany

TRIPS Agreement of the WTO Mohammad Towhidul Islam, 2014-07-24 This book examines the application of the World Trade Organization's WTO Agreement on Trade Related Aspects of Intellectual Property Rights TRIPS in the fields of agriculture public health and economic development in a Least Developed Country LDC such as Bangladesh In particular it evaluates the question whether the TRIPS one size fits all approach compulsorily applicable for all countries irrespective of their development standing fulfils the developmental needs of Bangladesh and other such LDCs in the fields of agriculture public health and economic development The book shows that the TRIPS introduction of IPRs in the name of Plant Varieties Protection PVP and patents not only secures private sector investment in agriculture but also brings traditional agricultural practices within the spectrum of private monopoly increases the price of agricultural products and forces people into

dependency on engineered seeds and other agricultural inputs To guard against such trade rules this book recommends that Bangladesh should incorporate the TRIPS flexibilities in the form of redefining patentable invention choosing between patents and PVP and providing for compulsory licensing This book also reveals that the TRIPS patenting in pharmaceuticals encourages innovations by ensuring royalty collections and protects public health by raising standards of living However patenting offers exclusivity to pharmaceutical companies extending the duration of the patent term and establishing their control over production supply and distribution Such control results in exclusivity over drug pricing The flexibilities of the compliance deadline compulsory licensing and parallel importation built into the TRIPS are set to tackle untenable situations arising from patenting exclusivity However patent laws in most LDCs are out dated in terms of dealing with such flexibilities Given this the research recommends that Bangladesh should invoke the TRIPS flexibilities The author of this book further establishes that the TRIPS standard setting in agriculture and pharmaceuticals does not help the country to fulfil subsistence needs or promote economic development through innovation However the appropriation of agricultural and pharmaceutical goods during the use of the TRIPS flexibilities has the potential to feed the people protect public health interests and increase economic development with the supply of food and drugs at home and abroad To this end the research asks Bangladesh to reform its existing IPRs provisions by redefining patentable inventions and simplifying compulsory licensing and other differential treatments to appropriate foreign technologies

Lawyers in 21st-Century Societies

Richard L. Abel, Ole Hammerslev, Hilary Sommerlad, Ulrike Schultz, 2020-04-02 The world's legal professions have undergone dramatic changes in the 30 years since publication of the landmark three volume *Lawyers in Society* which launched comparative sociological studies of lawyers This is the first of two volumes in which scholars from a wide range of disciplines countries and cultures document and analyse those changes The present volume presents reports on 46 countries with broad coverage of North America Western Europe Latin America Asia Australia North Africa and the Middle East sub Saharan Africa and former communist countries These national reports address the impact of globalisation and neoliberalism on national legal professions the relationship of lawyers and their professional associations to the state and tensions between state and citizenship changes in lawyer demography rapidly growing numbers and the profession's efforts to retain control the entry of women and obstacles to full gender equality ethnic diversity legal education the proliferation of institutions and pedagogic innovation the regulation of lawyers structures of production especially the growth of large firms and the impact of technology and paraprofessionals the distribution of lawyers across roles and access to justice state funded legal aid and pro bono services The juxtaposition of the reports reveals the dramatic transformations of professional rationales labour markets and working practices and the multiple contingencies of the role of lawyers in societies experiencing increasing juridification within a new geopolitical order

Representing the Corporation

Richard H. Weise, 1996-01-01 *Representing the Corporation* gives you the inside track on understanding the legal services the corporation is really seeking from its counsel

Richard H Weise shares his 30 years of experience in corporate legal affairs to show you how to develop practices that are in tune with the needs and requirements of the client Weise offers valuable guidance to in house counsel and practitioners on Getting client feedback effectively Developing a healthy interdependent relationship with the client Implementing an effective dispute resolution strategy an important client satisfier Helping a client with ethics management issues Offering the client a no surprises covenant Working with the client on important compliance issues and crisis management Plus leading edge coverage of vital topics such as the law of the Internet international corporate practice intellectual property securities law government contracting tax mergers and acquisitions and more Representing the Corporation contains a wealth of adaptable sample forms checklists spreadsheets in house reports and manuals for your particular situation *Business, Society, and Government Essentials* Robert N. Lussier, Herbert Sherman, 2013-08-22 Understanding the interrelationship of business society and government is vital to working at any level in a company of any size This text uses a case analysis approach to explore this interrelationship in today s high tech global community The authors crystallize the complex array of issues that business leaders managers and employees face in market and nonmarket environments from balancing stakeholder interests and dealing with government regulations to managing crises and making socially responsible and ethical decisions Technical concepts come to life through a variety of cases and case questions thought provoking personal and professional applications ethical dilemmas and practical exercises Furthermore an appendix offers approaches to case analysis and includes a case analysis table that serves as a model for students and professors With its thorough coverage of relevant issues and skill building elements to stimulate critical thinking this text will prepare students to understand and confront real world business concerns Legal Informatics Daniel Martin Katz, Ron Dolin, Michael J. Bommarito, 2021-02-18 This cutting edge volume offers a theoretical and applied introduction to the emerging legal technology and informatics industry *Economic Reason and Political Reason* Jean Mercier Ythier, 2023-01-12 The public space of democracies is constructed in a context that is marked by the digital transformation of the economy and society This construction is carried out primarily through deliberation Deliberation informs and guides both individual and collective action To shed light on the concept of deliberation it is important to consider the rationality of choice but what type of rationality is this References to economic reason are at once widespread crucial and controversial This book therefore deals with arguments used by individuals based on the notions of preferential choice and rational behavior and also criticizes them These arguments are examined in the context of the major themes of public debate that help to construct the contemporary public space populism social insurance social responsibility and environmental issues Economic Reason and Political Reason underlines the importance of the pragmatist shift of the 2000s and revisits through the lens of this new approach the great utilitarian and Rawlsian normative constructs that dominated normative political economics at the end of the 20th century Alternative approaches based on the concept of deliberative democracy are proposed and discussed Current Publications in Legal

and Related Fields ,2009 **Business in Ethical Focus: An Anthology - Second Edition** Fritz Allhoff,Alexander Sager,Anand J. Vaidya,2016-12-20 Business in Ethical Focus is a compilation of classical and contemporary essays and case studies in business ethics Readers will become acquainted with seminal ideas on corporate social responsibility and the place of business in a just society Other topics include diversity in the workplace sexual harassment workplace rights environmental responsibility and sustainability global business intellectual property bribery and ethical issues in advertising and marketing This second edition adds a dozen original case studies as well as new sections on global perspectives with articles on Islamic Confucian and Buddhist business ethics entrepreneurship and the non profit sector Background material on ethical theory and the nature of business ethics is included to orient readers new to this field *Communication juridique et judiciaire de l'entreprise* Hugues Bouthinon-Dumas,Nathalie Cheynel,Charlotte Karila-Vaillant,Antoine Masson,2016-02-10 Tous les juristes savent que le droit n est pas seulement une affaire de savoir et de savoir faire mais aussi de faire savoir La communication est omniprésente dans l activité quotidienne des juristes qu ils soient avocats juristes d entreprises ou magistrats Ils sont ainsi de plus en plus souvent amenés à travailler avec des experts en communication et à cotoyer les médias Encore faut il savoir bien communiquer Il y a des choses ne pas dire et il y a des moments où il vaut mieux se taire Quand on prend la parole il faut connaître les bons médias et avoir une idée claire du message que l on veut faire passer au service de sa stratégie Il faut trouver les bons mots et parfois cerner les mots pour les remplacer par des supports visuels En bref il faut maîtriser l art de la communication juridique et judiciaire Au sein des entreprises la mise en place d outils de communication adaptés permet de faire circuler efficacement l information entre les équipes juridiques et les opérationnels La communication juridique interne apparaît comme une clé de la performance de la fonction juridique En externe certaines décisions juridiques relatives notamment aux politiques de responsabilité sociale ou de corporate governance menées par l entreprise peuvent être utilisées comme des instruments de communication à l'égard des tiers Le droit peut ainsi devenir un élément majeur de la communication institutionnelle et des stratégies marketing des entreprises ces aspects constituent des éléments mineurement stratégiques L'choix médiatique qui leur est donné peut être recherché et lorsque les justiciables subissent un procès il est toujours possible d'en minimiser les effets travers une communication judicieuse voire de transformer une défaite judiciaire en opportunité médiatique R unissant les contributions de juristes d experts en communication de journalistes et de sociologues cet ouvrage d critique et analyse donc le rôle de la communication dans l activité juridique et judiciaire *Alberta Law Review* ,2010 **Company Law and Directors' Duties in Sub-Saharan Africa** Oludara Akanmidu,2024-04-02 This book provides a critical analysis of the enforcement regime for breach of directors duties in sub Saharan Africa Focusing on Nigeria Kenya Ghana and Tanzania it interrogates the current state of play regarding the enforcement of directors duties in sub Saharan African countries The book examines the effectiveness of enforcement the reasons for its successes or failures and how it might be improved in these countries Finally taking into consideration the

specific socio cultural context of the countries in question it offers persuasive and practical avenues for reform This book will be of interest to scholars and practitioners of comparative corporate law and corporate governance in Africa

Thrive on the High Street: Strategies for Business Survival Matt Dewey, In Thrive on the High Street Strategies for Business Survival dive into a comprehensive guide tailored for modern entrepreneurs navigating the dynamic world of retail From the evolution of high street business to harnessing the power of technology this book offers invaluable insights into overcoming challenges and seizing opportunities With ten meticulously crafted chapters each packed with practical advice and real world examples discover how to build a resilient brand presence enhance customer experiences maximize operational efficiency and diversify revenue streams Learn the art of fostering community engagement leveraging technology for growth and navigating economic uncertainty with finesse Embrace sustainability social responsibility and long term planning to ensure enduring success in the ever evolving retail landscape Whether you re a seasoned retailer or a budding entrepreneur Thrive on the High Street equips you with the tools and strategies needed to not only survive but thrive in today s competitive market

Corporate Law Essentials: Principles and Practices for Businesses Prof. Amit Kumar Kashyap, 2021-09-15 Understand the key principles and practices of corporate law with this essential guide Covering topics from governance to compliance this book is designed for legal professionals and business leaders navigating the complex landscape of corporate law

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