

KURSUSPROGRAM

Kursus for	advokater, advokatfuldmægtige, virksomhedsjurister og andre med interesse for amerikanske retsforhold
Emne	Amerikanske retsforhold set fra et praktisk orienteret europæisk perspektiv
Antal lektioner	7
Underviser	Attorney Susan Grogan Faller og attorney Joseph J. Dehner
Underviser CV	<p>Susan Grogan Faller er partner i advokatfirmaet Frost Brown Todd med 450 advokater og kontorer i Cincinnati, Ohio, og 8 andre amerikanske byer. Hendes specialer er retssager og immaterialret. Susan er i årene 2004-11 blevet kåret som "Ohio Super Lawyer" og i 1997-2011 som en af "The Best Lawyers in America".</p> <p>Susan practices in the litigation and intellectual property areas. She represents clients in a wide array of commercial and business litigation matters and media law matters, with an emphasis on domestic and international media... <i>læs mere på hjemmesiden.</i></p> <p>Joseph J. Dehner er partner i advokatfirmaet Frost Brown Todd med 450 advokater og kontorer i Cincinnati, Ohio, og 8 andre amerikanske byer.</p> <p>Joe concentrates his practice on multinational business and securities disputes. He counsels a wide variety of companies, domestic and foreign, on issues confronting global business, including transnational investment, mergers and acquisitions, joint ventures, Customs and trade issues, international business structures, distribution and agency agreements and the resolution of international disputes. He is business couns...<i>læs mere på hjemmesiden.</i></p>
Dato	21. september 2012
Tidsrum	9,00 - 16,00
Sted	Hotel Opus, , 0
Pris	Kr. 900,- excl. moms.

Formål

Kurset, der forestås af to fremtrædende amerikanske advokater, tilstræber at klæde danske jurister og andre, der arbejder med amerikanske retsforhold, bedre på - kontrakter, retstvister, erstatning, varemærker o.s.c.

Program

Faller - Overview of the US court system, trial level and appeal level, in both federal and state courts

- Nightmare US litigation, where everything goes wrong
- Differences to expect between federal and state courts
- Differences between the laws of the various states
- Jury trials
- Summary judgment and motion practice as compared to full trials

Dehner - Strategic alliances and choices as to how a Danish company can enter the US market - Dehner

Faller - What does US litigation cost, optimistically and in a worst case scenario

- Statistics for high and low end litigation costs
- Tactical and strategic considerations of bringing a lawsuit as compared with being sued, including cost and other practical considerations, as well as differences in control of litigation factors
- US discovery procedures really raise the cost and place cost containment out of any easy control, when a case is actually in court
- Jury trials are more expensive than trials to the court
- Differences in litigation costs for products liability cases as compared to other litigation
- Patent cases are often the most expensive

Dehner - *Protecting the client's assets from the beginning in the way that you set up a U.S. operation, structure the corporation, choose locations and get legal advice

- Faller - *What can one effectively do to limit litigation costs, once litigation ensues?
- Insurance
- Contractual arbitration clauses (requiring arbitration)
- Voluntary arbitration or mediation
- Choosing the venue, if you are bringing the suit
- Choosing the right attorney

Dehner - The Infrastructure of a US Contract (E.g., typical contract sections, terms and basics)

Faller - Highlights of US Products Liability and Intellectual Property Law, and Advertising, where the two intersect

- How you best protect your client's internet domains, trademarks, designs, copyright and inventions in the U.S.
- What can be done in case of infringement, if the client is the infringer, perhaps unknowingly so
- What can be done in case of infringement, if the client's rights are infringed
- Products Liability verdicts
- Theories of liability: improper design, manufacturing defects, failure to warn
- Strict liability
- Breach of warranty
- Strange warnings and stranger scenarios – Truth is stranger than fiction