

Creating New Corporate Legal Systems for Mature Civil Society
 - Restructuring Legal Systems of Corporation,
 Finance and Capital Market, and Asian Challenges -

UPDATE

Symposium: Corporate Governance and Interim Draft on Corporate Law Revision

(2012/01/21)

Numerous discussions have been being made on the scandals of Olympus or Daio Paper. Just then, the interim draft concerning corporate law revisions was published by Justice Ministry's Legislative Council Corporate Law Subcommittee and now is at the public comment. At this symposium, an active discussion was made on what should be now discussed concerning corporate governance and corporate merger legislation from the wide perspective focusing on the review of the interim draft. Many related parties from various fields showed great interest.

Opening Remarks: Tatsuo Uemura, Professor of Waseda University, Member of Justice Ministry's Legislative Council Corporate Law Subcommittee

Tsutomu Okubo, Member of the House of Councilors, Chair of the Democratic Party's Working Team on Reform of Capital Market and Corporate Governance

"The Democratic Party's Approach to Corporate Governance"

Yasuhisa Shiozaki, Member of the House of Representatives, Chair of the LDP's Project Team on Corporate Capital Market Legislation < video message >

"The LDP's Approach to Corporate Governance"

Takeo Inaba, Attorney at law, former Professor of Waseda University, Former Assistant Vice-Minister of Civil Affairs Bureau, Ministry of Justice, Former Chief Judge of Hiroshima High Court

"What is desired at Corporate Law Revision - Relating to the Interim Draft"

Hiroyuki Kansaku, Professor of Tokyo University, Secretary of Justice Ministry's Legislative Council Corporate Law Subcommittee

"Interim Draft and Corporate Governance"

Yasuo Osaki, Professor of Waseda University

"Interim Draft and Corporate Merger Legislation"

Etsuro Kuronuma, Professor of Waseda University

"Interim Draft and the Discussion Points Such As Stock Funding and Others(including cash-out)"

Tatsuo Uemura, Professor of Waseda University

"What is the remained essential challenges"

Symposium (all the speakers - focusing on the comments on speeches)



In the discussion which took place in the latter part, various issues were raised including: the significance of outside directors and the method of requiring the appointment of outside directors, the significance of the system of companies with committees of audit and supervision committee, the scheme of securing the power of board of company auditors and audit effectiveness, the necessity of multiple class action against directors of subsidiaries, the proposal of regulations on procedures in stock transfer of subsidiaries, the protection of minor shareholders damaged by conflict-of-interest transactions between parent and child companies, the enhancement of information disclosure, and so forth. In addition, an active discussion was made on the significance of the recent revisions concerning company law systems and the essential problems behind that (reconstruction of sectioned legislation, reconstruction of the concept of directors, and so forth).

Report by GCOE Research Associate, Hang Keongsin

The Delegation of the Legislative Affairs Commission of the NPC Standing Committee Visited to Japan for Research Exchange on Telecommunications Act

Based on the agreement of research exchange between Waseda Global COE and the National People's Congress of the People's Republic of China, the delegation of the Legislative Affairs Commission of the NPC Standing Committee, led by Li Fei, Deputy Chief, visited to Japan on November 23, 2011.

In China, triggered by the penetration of cell-phones as well as remarkable development of Social Networking Service, various problems are occurring in the field of telecommunications. For example, they include the issue of the construction of infrastructure such as telecommunications equipment or base stations, the issue of competition among telecommunication business providers, the issue of taking countermeasures against illegal harmful information on the Internet, and the issue of protection of individual information the field of telecommunications, This time, having the theme of "telecommunication law in Japan and China", various research workshops were held on the most recent discussions in the field of telecommunications in Japan and the issues in China with the participation of Waseda Institute for Corporation Law and Society, Ministry of Internal Affairs and Communications, Professor Masayuki Funada at Rikkyo University, and telecommunication providers. We could have a fruitful research exchange.

Currently, in China, the Legislative Affairs Commission of the NPC Standing Committee and others are having discussions in preparation for the legislation of telecommunication law. In the near future, it is expected that Chinese telecommunication law will be enacted and announced, incorporating the research result this time.

(Reported by GCOE RA Jin Jing)



Professor Hiroshi Oda Receives the Russian High Decoration from President Medvedev

Visiting Professor Hiroshi Oda at our GCOE Institute wrote Russian law textbooks published by Oxford publishing and is well known as a prominent specialist on Russian commercial law as well as an attorney at law in Japan and England. He also serves as a contact for exchange between our GCOE and the Supreme Commercial Court of the Russian Federation.

Recently, Professor Oda was invited to a conference and ceremony marking the 20th anniversary of the arbitration court system. In the conference where various foreign guests including head of the Court of Cassation of France, President of the Federal Supreme Court of Switzerland, Finnish President, and others, Professor Oda made a speech in Russian on the theme of “The Concept of Good Faith that does not exist in Russian commercial law”.

Next day, at the Stanislavsky Theater, a ceremony was held, gathering more than 500 guests of judges and government related parties, and President Medvedev attended. At the ceremony, several judges of the High Courts including President of the Supreme Court received a decoration from President Medvedev. In the last place, Professor Oda also received a decoration, the Order of Friendship. Professor Oda was called to the stage and after a few words introduce him, President himself conferred a decoration to Professor Oda. Professor Oda was allowed to make a several-minute speech as a return salute and stated that the establishment of “low-governed state” that President Medvedev is now working on would be very important for the Russian future and he promised his cooperation as a Japanese lawyer.

It seems also true that we found considerable significance in the research exchange with our Global COE that invited Head of the Supreme Commercial Court of the Russian Federation I would like to extend my congratulations to him.

Tatsuo Uemura, Director of Global COE, Waseda Institute for Corporation Law and Society

Symposium & Seminar

■ Critiques of Basic Juristic Concepts No.2

(2011/11/16)



【Speaker】 Tamio Nakamura, Professor of Waseda University

【Theme】 the Citizenship of the European Union—20 years from the Establishment—

【Moderator】 Takao Suami, Professor of Waseda University

As to the EU's effort to develop a mature civil society at the level beyond the walls of nations, we discussed on how “the citizenship of the European Union”, which was established in Maastricht (EU) Treaty, made the EU something beyond economic community, using the fundamental concept of “citizenship of the European Union” as a subject. The discussion focused on the development of EU judicial decisions concerning the freedom of movement and residence and the aspect of the equal treatment as the people of the destination nation (host nation) and examined the “substance” of the current EU citizen's right shown in judicial decisions from the 1990s to the 2000s and the 2010s, which is around the Directive on the EU citizen's right of movement and residence (Directive 2004).

■ The JASRAC Open Lecture of 2011 No.3

(2011/11/19)

【Opening Remarks】 Ryu Takabayashi, Professor of Waseda University

Part I: Employees' Inventions and German Copyright Law-Encounter of the Third Kind?

【Abstract】

More than 90 % of the inventions that the German Patent

Office grants patents are made not by individual inventors or self-employed workers, but by corporate workers. Therefore, employees' invention has a long history in Germany. German patent law grants incentives for inventions to employees by the special act called the Act on Employee Inventions (Arbeitnehmererfindungsgesetz). On the other hand, in copyright law, it has a tradition of strong protection of authors' moral rights that is seen in European major nations. Software becomes the subject of copyright protection and the significance of technical protection for software has increased. That leads to the increased need for similar system for employee works. However, it is at the different condition from the employee inventions. With the conditions as such, this seminar invited Professor Christoph Ann, who is the leading expert of German IP law to explain the theoretical foundation of German law on employee inventions and examine the reason why employee works are differently treated in copyright law. After that, in the panel discussion with the participation of experts in Japan and the US, the attribution of software copyright and the right to obtain a patent and the right to claim for compensation were examined from the perspective of comparative law. The effect of IP management practice was also examined.

【Speaker】 Prof. Dr. Christoph Ann, Professor of Munich Technical University

【Moderator】 Toshiko Takenaka, Professor of University of Washington School of Law

【Commentators】

Toshiko Takenaka, Professor of University of Washington School of Law
Kazuhiro Ando, Visiting Researcher of Waseda IIIPS-Forum

Ichiro Nakayama, Professor of Kokugakuin University

【Co-host】 Industry Alliances Division, Tokyo Medical and Dental University

Part II: Copyright Contract Law in Germany:

Author's Rights to Fair Remuneration

【Abstract】

Japan's copyright act has almost no provisions concerning contract law. Therefore, recently, a legislative interest in copyright contract law has been increasing in Japan. On the other hand, provisions on contract law are widely found in European copyright acts. Especially, German Copyright Act has had major revisions on the contract law provisions for these ten years and drawn attentions. The revisions and discussions are very suggestive to Japan. This time, as a speaker, we invited Professor Jan Bernd Nordemann, who write a part of copyright contract law in Fromm=Nordemann

commentary, which is one of famous commentaries for German Copyright Act and has been reprinted many times since 1966. Concerning the copyright contract law in Germany, Professor Nordemann introduced the recent judicial decisions and so forth, added his analysis from the perspective of Japan and US laws, and examined its significance and the future shape of Japanese law.

【Speaker】 Prof. Dr. Jan Bernd Nordemann, Humboldt University, Attorney at law, BOEHMERT & BOEHMERT

【Moderator】 Tatsuhiko Ueno, Professor of Rikkyo University

【Comments】

Tatsuhiko Ueno, Professor of Rikkyo University

Kazuhiro Ando, Visiting Researcher of Waseda IIIPS-Forum

Masayuki Matsuda, Attorney at law

【Closing Remarks】 Associate Professor Kaori Iida, Research Center for Industry Alliances, Industry Alliances Division, Tokyo Medical and Dental University

※For the detail, please see the Newsletter by Research Center for the Legal System of Intellectual Property.

■“Constitution and Economic Order” Workshop No.16 (2011/11/20)

At the “Constitution and Economic Order” Workshop No.16, we invited Professor Hiromichi Sasaki, Tohoku University and Professor Koji Tonami, Waseda University as speakers.

First, Professor Sasaki presented on the theme of “what is the public nature to justify public expropriation—the case of *Kelo v. City of New London*, 545 U.S. 469 (2005)”. The significance of “for public use” in Article 29-3 of the Constitution of Japan has not fully been examined. Referring to the U.S. Constitutional theory that has the accumulation of the interpretation of “for a public use” in the U.S. Constitution, he added the examination on the significance of both Articles.

Next, Professor Tonami presented on the theme of “Regulations on Economic Freedom and the Theory of Review Standards, Three-step Review Theory”, In his speech, he explained the issue how the regulatory purpose dichotomy theory concerning regulations of choice of occupation has transitioned in judicial precedents, raising concrete precedents such as decisions related to the Forest Act and so forth.

■ Japan-Korea Symposium on Public Participation in Judicial Procedures

(2011/12/03)

In Japan, 2012 marks the third year since the enactment of the act of lay judge system. Reviewing the act is becoming a task. On the other hand, in Korea, the pilot program of lay participation system law will end in 2012 and the full-fledged enactment of the law becomes a topic. Citizen participation in judicial procedures becomes a major issue in both Japan and Korea at the same time. So we held an international symposium on the conditions of citizen participation and future challenges in both countries.

【Opening Remarks】

Satoshi Shimizu, Vice President of Waseda University
 Atsushi Yamaguchi, Professor of University of Tokyo,
 President of Criminal Law Society of Japan
 Shin Yang-Kyun, Professor of Chonbuk National University,
 President of Korean Criminal Law Association

【Remarks by Guest Speaker】 Niro Shimada, Former Chief Judge of the Supreme Court of Japan

Session 1:

The Significance Current Situation of Public Participation in the Judicial Procedure

【Speakers】

Ha Tae-Hoon, Professor of Korea University, Vice President of the Korean Criminal Law Association
 Masahito Inoue, Professor of Tokyo University

Session 2: Various Issues in Trial Procedures with Public Participation

【Speakers】

Kim Hyung-Du, Presiding Judge of the Seoul Central District Court
 Masahiro Hieda, Presiding Judge of Chiba District Court

Session 3:

Tasks of Prosecutor and Defense Counsel in Judicial Procedures with Public Participation

【Speakers】

Lee Dong Hee, Professor of Korean National Police University
 Takuichi Kawakami, Professor of Waseda University

Session 4: Various Issues Relating to Public Participation in Criminal Trials

【Speakers】

Shin, Dong-Woon, Professor of Seoul National University
 Takayuki Shiibashi, Professor of Chuo University

【Summary of Symposium】

Byung-Sun Cho, Professor of Cheongju University
 Morikazu Tagushi, Professor of Waseda University,
 Director of Institute of Comparative Law, Vice Director of Waseda Institute for Corporation Law and Society

【Host】 Waseda University, Institute of Comparative Law,
 Waseda Institute for Corporation Law and Society

【Auspices】 Korean Criminal Law Association



■ The JASRAC Open Lecture of 2011 No.4

(2011/12/03)

Part I

【Theme】 Overall examination, Various Issues Relating to Indirect Infringement and Right Restrictions

【Abstract】 Discussions were made concerning various issues under copyright law that could come with rapidly-developing cloud computing, based on the technical background.

【Moderator】 Ryuta Hirashima, Professor of Tsukuba University

【Speakers】

Koji Okumura, Associate Professor of Kanagawa University

Masanori Kusunoki, National Standards Officer,
Microsoft Japan

Part II

【Theme】 Provider's Liability Concerning Copyright Infringement —the Recent Trend and Reconstruction of Legal Theory

【Abstract】 Since the enactment of the so-called provider liability limitation law, the social environment surrounding providers has drastically changed. Based on that, we had a discussion to find out the content of provider's legal liability that has many uncertain parts. Recently, the discussion is prevailing in foreign countries in order to extend the scope of provider's legal responsibility concerning IP infringement. Taking movements in foreign countries as such into consideration, the discussions were held based on the current technology requirements.

【Speakers】

Yoshiyuki Tamura, Professor of Hokkaido University
Lea Chang, Lecturer at Tokyo City University
Toru Maruhashi, NIFTY Corporation

【Moderator】

Yasuto Komada, Professor of Sophia University

※For the detail, please see the Newsletter by Research Center for the Legal System of Intellectual Property.

■Lecture by Mr. Zhou Qinye, Vice President of Shanghai Stock Exchange

(2011/12/10)



We invited Mr. Zhou Qinye, Vice President of Shanghai Stock Exchange to have a lecture with the theme of “Challenges and Changes in Chinese Capital Market”.

【Speaker and Theme】

Zhou Qinye, Vice President of Shanghai Stock Exchange
“Challenges and Changes in Chinese Capital Market”

【Moderator/Commentator】

Tatsuo Uemura, Professor of Waseda University

【Interpreter】

Wu Qi, Shanghai Stock Exchange

■ Criminal Law Group, Workshop No.14

(2011/12/10)

【Speaker and Theme】

Shin Matsuzawa, Professor of Waseda University
“CSR and Corporate Punishment in Denmark and Sweden”

From October 30 to November 7, we visited Denmark and Sweden to conduct the research on the current conditions of corporate legislation, corporate crime, and corporate punishment in Denmark and Sweden. At this workshop, the part of corporate crime and corporate punishment was reported and examined from the perspective of criminal law. In Denmark, corporations are punished instead of employees = marginal positions. Having a valuable opportunity to examine their unique system as such, which is different from Continental laws and Western laws, we could have a certain amount of suggestions to the ideal shape of corporate punishment in Japan.

■Social Law Workshop “New Income Security System —Workfare and Basic Income—”

(2012/01/07)

The reform of tax and social security, which is recently being conducted by the government of the Democratic Party, is a institutional reform that has a possibility to bring a major innovation to our social security system. This reform has an impact especially on the income security system. The theory of basic income is an effective argument in terms of providing an academic perspective to such a real institutional reform. In addition to the aspect of feasibility as a system, it provides an opportunity to establish a new idea of income security system. Workfare is centrally positioned to basic income. We focused the issue how we see the relationships between income and labor in our lives and the issue will be the theme that should be addressed by our group aiming for new social law.



At this workshop, Professor Shogo Takegawa at University of Tokyo presented on the theme of “The Contention of Basic Income Theory Related to Social Security System”. Then, Professor Miyo Akimoto analyzed the theory of basic income in the UK, with the theme of “Basic Income from the Perspective of Rights”

■ International Symposium: Researches on IP Exploitation System in East Asia

(2012/01/28–29)

This symposium illustrated the issues on IP transfer or licensing, focusing on East Asian countries and their IP protection, and examined the legal solutions for these issues, considering the Japan-Korea joint proposal that our research group made in 2010. We invited the speakers from China, Taiwan, Korea, and Japan to have a presentation from the perspective of each country and the different perspectives of scholars, practitioners, or government officials. After that, we had an overall discussion.

Opening Remarks: Syoichi Kidana, Professor of Waseda University

(Jan 28)

【Chair】Yoshinobu Eizumi, Professor of Waseda University
Masatoshi Nishida, Head of IP Department, Solution Business Support Group, FUJITSU

“Various Issues of IP and Information Management in Solution Business in China”

Li Mindge, Researcher of Chinese Academy of Social Sciences, China

“Several Issues in the Process of Chinese Copyright Law Revision”

【Chair】Masato Dogauchi, Professor of Waseda University
Yasushi Ishizuka, Director, Intellectual Property Policy Office, METI

“The Meaning of Contract as Preventive Measures for the Outflow of Technology”

Ko Wakabayashi, Attorney at law, Anderson Mori & Tomotsune

“Practices of Technology Export and Import in Mainland China”

【Chair】Kyung-Han Sohn, Professor of Sungkyunkwan University

Rho Tae-Ak, Judge of Seoul High Court, Korea

“Legal Issues of Licensing Technology Transfer in Korean Private International Law”

Lee Gyu-Ho, Professor of Chung-ang University, Korea
Commentator: Shunichiro Nakano, Professor of Kobe University

“Licensing Technology Transfer under the Principles on Private International Law regarding Intellectual Property (Japan-Korea Joint Proposal)”



(Jan 29)

< Afternoon (10:00~12:00) >

【Chair】Syoichi Kidana, Professor of Waseda University
Ming-Huang Chang, Judge of Tainan Local Court of Taiwan

“Regulations on IP Transfer and Licensing in Taiwan”

Yoshiaki Nomura, Professor of Osaka University

“The Significance of Laws of Protectorates in Japanese IP Precedents”

< Discussion (12:00~13:00) >

【Chair】Kyung-Han Sohn, Professor of Sungkyunkwan University, Shichi Kidana, Professor of Waseda University

■ “Constitution and Economic Order” Workshop No.17 (2012/01/08)

The Workshop No.17 invited Professor Masahiro Akasaka at Rikkyo University and Professor Yasuo Hasebe at University of Tokyo as speakers.

First, Professor Akasaka spoke on the theme of “The Concepts of Occupation and Business under the German Law”

After questioning whether the commonly-accepted understanding in Japan such as “Freedom of Choice in Employment = Freedom of Business” is really true or not, he introduced the concept of “business” in German Industrial Code and the concept of “employment” in the Basic Law of Germany.

Next, Professor Yasuo Hasebe presented on the theme of “Law, Right, and Property in Ockham”. Using “the Legal Thought of Michel Villey” as a clue, he discussed what the right is and why people think about the human rights. In the QA session, a vigorous discussion was made on the ideological background of Villey and so on.

■ International Symposium: Environmental and Business Damages by Major Accident – The Gulf of Mexico Oil Spill and the Disaster at the Fukushima Daiichi Nuclear Power Plant

(2012/01/15)

At this symposium, with the theme of “Environmental and Business Damages by Major Accident – The Gulf of Mexico Oil Spill and the Disaster at the Fukushima Daiichi Nuclear Power Plant”, Professor Robert R.M. Verchick at Loyola University New Orleans and Professor Tadashi Otsuka at Waseda University made a presentation. Professor Verchick spoke on the oil spill at the Gulf of Mexico with the theme of “BLOWOUT IN THE GULF” and Professor Otsuka spoke on compensation for nuclear damage by the accident of Fukushima Daiichi Nuclear Power Plant. Next, with the moderation by Professor Otsuka, a panel discussion took place with the panelists: Professor Verchick, Professor Takehisa Awaji at Waseda University, and Associate Professor Eri Osaka at Toyo University.

■ The Fourth Symposium of the Integrating Humanities and Science: Research Advancement of Embryo-stem Cells and iPS Cells and the Legal Issues and the Intellectual Property Law Issues (2012/01/21)

【Abstract】

It is expected that the regenerative medical research using stem cells such as ES cells or iPS cells will meet the longstanding aspiration of humankind for “recovering lost functions” and it is attracting attentions in not only Japan but

also the entire world. Its momentum ranges from basic researches to practical researches and it is said that it will be put into practical use very soon. On the other hand, it is also pointed out that numerous troubles might stand in the way of putting into practical use in the regenerative medical research using ES cells, from the ethical perspectives and so forth. In October 2011, the Court of Justice of the European Union decided that “technical patents on ES cells should not be granted”. Technologies and methods that are generated through the most advanced R&D of regenerative medicine are intellectual properties. However, why was the act of patenting them not accepted?

In this symposium, specialists in biological science, medical science and engineering, and law, talked about how the most advanced research of regenerative medicine using stem cells such as ES or iPS cells has developed, and what the technical issues are, and what the IP law issues are in the case of practical use.

【Overall Hosts】

Ryu Takabayashi, Professor of Law, Waseda University
Toru Asahi, Professor of Science and Engineering, Waseda University

【Opening Remarks】

Katsuichi Uchida, Vice President of Waseda University
Waichiro Iwashii, Dean of School of Law, Waseda University

【Keynote Speech】

Makoto Asajima, Professor of Tokyo University / Fellow at the National Institute of Advanced Industrial Science and Technology

“The Current Conditions and Future Challenges in Regenerative Medical Research by Stem Cells”

【Speeches】

Katunori Kai, Professor of Law, Waseda University
“Legal and Ethical Issues Surrounding Research Advancement of ES Cells and iPS Cells”

Akihiro Umezawa, Head of Regenerative Medical Center, National Center for Child Health and Development

“The Most Recent Research of ES Cells and Its Capability”
Shigeo Takakura, Professor of Law School, Meiji University

“Patent System and Bioethics”

Masayuki Yamato, Professor of Institute of Advanced Biomedical Science and Engineering, Tokyo Women’s Medical University

“The Current Conditions and Challenges in iPS Cells Research”

【Panel Discussion】

Coordinators:

Toru Asahi, Professor of Science and Engineering, Waseda University

Fukuda Yasue, Assistant Professor of Osaka University / Lecturer at Waseda University

Panelists:

Makoto Asashima, Professor of Tokyo University / Fellow at the National Institute of Advanced Industrial Science and Technology

Katunori Kai, Professor of Law, Waseda University

Akihiro Umezawa, National Center for Child Health and Development

Shigeo Takakura, Professor of Law School, Meiji University

Masayuki Yamato, Professor of Institute of Advanced Biomedical Science and Engineering, Tokyo Women's Medical University

【Closing Remarks】 Ryu Takabayashi, Professor of Law, Waseda University

【Host】 Organization for University Research Initiative, Waseda University, Institute for Interdisciplinary Intellectual Property Study Forum (IIIPS-Forum)

【Co-host】

Waseda Global COE, Research Center for the Legal System of Intellectual Property (RCLIP)

Consolidated Research Institute for Advanced Science and Medical Care, Waseda University (ASMeW)

Global COE for Practical Chemical Wisdom, Waseda University

Doctoral Student Career Center, Waseda University

European Biomedical Science Institute, Waseda University

Waseda University Nano Technology Forum

NPO Waseda Health Promotion Research Center

※For the detail, please see the Newsletter by Research Center for the Legal System of Intellectual Property.

 ※The following section introduces other major regulatory workshops(May-July). Please visit our website for the future schedule of workshops and registration information.

■Consumer Law Precedents Workshop

2011/11/11 No.4

【Speaker】 Kenji Saegusa, Professor of Waseda University

【Theme】 Effectiveness of Renewal Fee Provision
The Supreme Court's Decision on July 15, 2011

2011/12/09 No.5

【Speaker】 Ippei Ohsawa, Lecturer at Senshu University

【Theme】 The Supreme Court's Decision on June 17, 2010, Minshu vol.64, no.4, p.1197

Reference: Isao Kitai, Comment on the case, Minsho vol.143, no.3, p.358

2012/01/06 No.6

【Speaker】 Nobuhisa Segawa, Professor of Waseda University

【Theme】 The Supreme Court's Decision on July 21, 2011, Hanrei Times vol.2129, p.36

■Financial Instruments and Exchange Law / the US Capital Market Legislation Workshop

2011/11/24

【Speaker】 Makoto Murakami, Heisei International Univ.

【Theme】 Regulations on Rights Offering (2011 revisions on FIEA)

2011/12/15

【Speaker】 Yasunobu Wakabayashi, Associate Professor of Waseda University

【Theme】 Suspected Insider Trading at Capital Increase and Short-selling Regulation

2012/01/26

【Speaker】 Shinichi Yuhara, Waseda University

【Theme】 The Recent Decisions Related to the U.S. Securities

Matrixx Initiatives, Inc. v. Siracusano, 131 S. Ct. 1309 (2011)

Janus Capital Group, Inc. v. First Derivative Traders, 131 S. Ct. 2296 (2011)

Erica P. John Fund, Inc. v. Halliburton Co., 131 S. Ct. 2179 (2011)

■Commercial Law Workshop

2011/11/10

【Speaker】 Toshiyuki Tamai, Associate Professor of Nanzan University

【Theme】 Tokyo District Court's Decision on July 7, 2011, Kin-yu Hanrei vol.1373, p.56 (the case of Charle)

【Speaker】 Kiichiro Yoneyama, Professor of Okayama Univ.

【Theme】 Decision by the Third Petty Bench of the Supreme

Court on Sep. 14, 2010, Siryo-ban Shojihomu vol. 321, p.58 (the case of FUTABA INDUSTRIAL)

2011/12/01

【Speaker】 Tatsuya Sakamoto, Associate Professor of Okinawa International University

【Theme】 Decision by the Second Petty Bench of the Supreme Court on July 12, 2010, Minsyu vol.64, no.5, p. 1333 (the Case of IBM Japan)

【Speaker】 Osamu Miura, Okayama University

【Theme】 Tokyo High Court's Decision on Nov. 24, 2010, Siryo-ban Shojihomu vol. 322, p.180 (the appeal court decision on the case of OHMORI Co., LTD.)

2011/12/19

【Speaker】 Mayumi Takahashi, Associate Professor of Hitotsubashi University

【Theme】 Tokyo High Court's Decision on March 24, 2010, Siryo-ban Shojihomu vol. 315, p.333(GRANDTOKYO class action case)

【Speaker】 Kenjiro Egashira, Professor of Waseda University

【Theme】 Tokyo District Court's Decision on Sep. 30, 2010, Kin-yu Hanrei vol.1357, p.42 (the case of Octavia HD)

2012/01/12

【Speaker】 Kyoichi Toriyama, Professor of Waseda University

【Theme】 Decision by the Third Petty Bench of the Supreme Court on April 26, 2011, Kin-yu Hanrei vol.1375, p.28 (The case of Intelligence, Ltd.)

【Speaker】 Takeo Inaba, Attorney at law

【Theme】 Tokyo High Court's Decision on September 14, 2011, Kin-yu Hanrei vol.1377, p.16 (The case of Matsumura Technology)

■ Organizational and Financial Economics Seminar 2011

2011/11/07 (Co-hosted by Research Institute of

Contemporary Japanese Systems, Waseda University)

【Speaker】 Raghavendra Rau, Professor, Cambridge Judge Business School, University of Cambridge／Visiting Researcher of Waseda Institute for Advanced Study

【Theme】 Overview of asymmetric information and corporate governance: The issues

- ① Corporate objectives: When does maximizing NPV fail?
- ② Agency conflicts: Shareholders vs. Stakeholders
- ③ Investment horizons in financial distress

2011/11/14 (Co-hosted by Research Institute of

Contemporary Japanese Systems, Waseda University)

【Speaker】 Raghavendra Rau, Professor, Cambridge Judge

Business School, University of Cambridge／Visiting Researcher of Waseda Institute for Advanced Study

【Theme】 Overview of asymmetric information and corporate governance: The issues

- ① Corporate objectives: When does maximizing NPV fail?
- ② Agency conflicts: Shareholders vs. Stakeholders
- ③ Investment horizons in financial distress

2011/11/21 (Co-hosted by Research Institute of Contemporary Japanese Systems, Waseda University)

【Speaker】 Raghavendra Rau, Professor, Cambridge Judge Business School, University of Cambridge／Visiting Researcher of Waseda Institute for Advanced Study

【Theme】 Overview of asymmetric information and corporate governance: An application Executive compensation

2011/12/05

【Speaker】 Roshan Ajward, Graduate Student, the Graduate School of Commerce, Waseda University

【Theme】 Effectiveness of Selected Contemporary Japanese Corporate Governance Reforms in Terms of Earnings Quality: An Empirical Evaluation

【Speaker】 Takuya Kasai, Visiting Junior Researcher, Global COE, Waseda Institute for Corporation Law and Society

【Theme】 Capital Structure and R&D Investment: Evidence from Japan

【Commentator】 Raghavendra Rau, Professor, Cambridge Judge Business School, University of Cambridge／Visiting Researcher of Waseda Institute for Advanced Study

2012/01/30

【Speaker】 Yuri Biondi (Professor, National Centre of Scientific Research, Ecole Polytechnique of Paris)

【Theme】 Financial accounting and the formation of share market prices : A theoretical analysis through experiment and simulation

Waseda Global COE Program

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