

BUSI 19: BUSINESS LAW II

Foothill College Course Outline of Record

Heading	Value
Effective Term:	Summer 2022
Units:	4
Hours:	4 lecture per week (48 total per quarter)
Advisory:	BUSI 18; UC will award transfer credit for either BUSI 18 or BUSI 19, not both.
Degree & Credit Status:	Degree-Applicable Credit Course
Foothill GE:	Non-GE
Transferable:	CSU/UC
Grade Type:	Letter Grade (Request for Pass/No Pass)
Repeatability:	Not Repeatable

Student Learning Outcomes

- Students will demonstrate appropriate use of business terms and concepts in their expanded court visitation report.
- Students will critically analyze, evaluate and interpret information by integrating legal knowledge in problem-solving and decision-making processes from their expanded court visitation report.
- Students will demonstrate their business knowledge and critical thinking in preparing their expanded court report and presenting their summary during an oral presentation. Seeking new ways in writing and presenting reports.

Description

Law of sales, warranty and product liability, partnerships, corporations, personal property, and bailments. The Uniform Commercial Code as related to negotiable instruments and secured transactions, and creditor-debtor rights.

Course Objectives

The student will be able to:

1. Demonstrate an understanding of critically basic legal concepts, rules of law and the legal process.
2. Practice decision-making.
3. Assess for expert legal advice.
4. Demonstrate an understanding of legal forms and vocabulary, and the rights and obligations of business operations managers.

Course Content

1. Starting a business
 - a. Business forms overview: proprietorships, partnerships, corporations, and limited liability companies (LLCs)
 - i. Legal liability and taxation
 - b. Entrepreneurship
 - c. Corporate formation and financing
2. Law of sales/UCC
 - a. Introduction to Uniform Commercial Code and comparative analysis of basic laws of contract

- b. Basic terms encountered (defined)
 - c. Transfer of title to goods
 - d. Risk of loss (who bears burden, seller or buyer?)
 - e. Performance of a contract of sale
 - f. Seller's rights and remedies
 - g. Buyer's rights and remedies
3. Warranties and product liabilities
 - a. Historical evolution: caveat emptor to caveat vendor (consumer protectionism)
 - b. Warranties
 - i. Express
 - ii. Implied (Uniform Commercial Code emphasis)
 - c. Disclaimers of warranties
 - i. Unconscionable contract clauses/unequal bargaining positions between a dominant seller and ordinary buyer (lay consumer)
 - d. The rule of "privity of contract"
 - e. Product liability
 - i. Distinguished from warranties (tort vs. contract action)
 - ii. Distinguished from negligence
 - iii. Doctrine of "strict liability" (without fault)
 - f. Misrepresentation (negligent or intentional civil fraud) in the sale of goods (action in tort)
 4. Negotiable instruments
 - a. Nature and functions of negotiable instruments including a look at the historical legal background leading up to the adoption of the Uniform Negotiable Instrument Act and the modern Uniform Commercial Code
 - b. Kinds of negotiable instruments or commercial paper presently used in business and the legal significance and ramifications of each
 - c. Parties to commercial paper and the legal rights and duties of such parties
 - d. How negotiable instruments or commercial paper is created by the parties; how the same are transferred one party to another; methods of payment of notes, drafts and other commercial paper
 - e. Specific nature of "checks" as a negotiable instrument, the methods of bank collection, the rights and defenses of parties to checks and holders in due course. The discharge of commercial paper in general
 5. Secured transactions
 - a. A study of the nature and purpose of suretyship or guaranty transactions, how they are created, legal relationship of the parties to such transactions and the rights and duties of the creditor involved
 - b. A specific study of the rights, duties and defenses of the surety or guarantor, in particular his rights of exoneration, subrogation, indemnity and contribution
 - c. A study of the nature, classes and creation of mortgages with special emphasis on the California mortgage device, the deed of trust, including analysis of the legal relationships of the parties arising from a mortgage transaction
 - d. A study of secured consumer credit sales—conditional sales contracts—the nature of such transactions, the rights and duties of the parties arising from secured sales transactions, with emphasis on California consumer protection laws

- e. A study of security devices used by businessmen in financing the sale of goods or providing working capital. Inventory or chattel mortgages and trust receipts will be considered in particular with emphasis on the Uniform Commercial Code
- 6. Employment law
 - a. Workers' compensation
 - b. Occupational safety
 - c. The Fair Labor Standards Act
 - d. The Family and Medical Leave Act
 - e. The Consolidated Omnibus Budget Reconciliation Act and Employee Retirement Income Security Act
 - f. Immigration law and employment
- 7. Intellectual property
 - a. Trade secrets
 - b. Copyrights and trademarks
 - c. Trademarks
- 8. Cyberlaw and cybercrimes
 - a. The internet and identity theft
 - i. The Identity and Assumption Deterrence Act
 - ii. The Information Infrastructure Protection Act (IIPA)
 - iii. The Counterfeit Access Device and Computer Fraud and Abuse Act
 - b. Cyber piracy
- 9. Other selected topics
 - a. e-Commerce and e-contracts
 - b. Uniform Computer Information Transactions Act (UCITA)

Lab Content

Not applicable.

Special Facilities and/or Equipment

1. Overhead projector and access to video playback equipment.
2. When taught as an online distance learning section, students and faculty need ongoing and continuous internet and email access.

Method(s) of Evaluation

Methods of Evaluation may include but are not limited to the following:

Quizzes
Exams
Final examination
Written assignments

Method(s) of Instruction

Methods of Instruction may include but are not limited to the following:

Lecture
Discussion
Field work
Oral presentations
Demonstration

Representative Text(s) and Other Materials

Cheeseman, Henry R.. Business Law: Legal Environment, Online Commerce, Business Ethics, and International Issues, 10th ed.. 2020.

Mallor, Jane P., et al.. Business Law: The Ethical, Global, and E-Commerce Environment, 16th ed.. 2015.

Types and/or Examples of Required Reading, Writing, and Outside of Class Assignments

1. Critical thinking case reviews and analysis, through handouts or student research
2. Term project: written individual court visitation

Discipline(s)

Business