

Study Guide: Exam II

NOTE: THIS STUDY GUIDE IS PRIMARILY A GUIDE AND STUDENTS ARE EXPECTED TO BE FAMILIAR WITH ALL CONTENTS DISCUSSED IN THE CHAPTERS LISTED BELOW IN THE REQUIRED TEXTBOOK AND ALL DOCUMENTS POSTED ON BEACHBOARD REFERRED TO IN CLASS

IP: Identify IP; Update on Disparagement and Scandalous clause of Lanham Act as discussed in class

Contracts– Chapter 10-11:

- Elements of a Valid Contract and meaning of each element – offer acceptance consideration
 - Mirror Image Rule
- Defenses to a Valid Contract
- Conditions of a Contract and what will excuse performance of a contract
- Acts that will discharge performance of a contract
- Remedies – equitable and damages
- Three exceptions to privity of contract – assignments, delegation, and intentional third party beneficiary
- Parts of a contract
- Ability to locate certain provisions in a contract and their meaning.
- Freedom of Contract – Discussed in class; see your notes
- Blockchain – Smart Contracts, attributes of the Blockchain
 - Immutable
 - Decentralized
 - Shared ledger.

UCC/CISG – Chapter 12

- When the UCC applies and difference between UCC and Common law
- When the CISG applies, why it would apply and how to opt out of it.
- Battle of the Forms
- Knock Out Rule
- Trade Terms including UCC and INCOTERMS (Chart will be provided during the exam)

Torts Chapter 5

Intentional Tort
Negligence
Strict Liability
Product liability
Defenses

Employment and Agency: Chapters 14-15

What is an Agent?
Liability of Principal for agent's actions.
How an agency can be established
Difference between employee v. independent contract
Employment laws.