



Cases and Materials in Company Law

Sealy, Professor L.S.

Note: This is not the actual book cover

L S Sealy

John Lloyd



L S Sealy :

Fiduciary Loyalty Matthew Conaglen, 2010-01-08 Winner of the second SLS Peter Birks Prize for Outstanding Legal Scholarship 2010 *Fiduciary Loyalty* presents a comprehensive analysis of the nature and function of fiduciary duties The concept of loyalty which lies at the heart of fiduciary doctrine is a form of protection which is designed to enhance the likelihood of due performance of non fiduciary duties by seeking to avoid influences or temptations that may distract the fiduciary from providing such proper performance In developing this position the book takes the novel approach of putting to one side the difficult question of when fiduciary duties arise in order to focus attention instead on what fiduciary duties do when they are owed The issue of when fiduciary duties arise can then be returned to and considered more profitably once a clear view has emerged of the function that such duties perform The analysis advanced in the book has both practical and theoretical implications for understanding fiduciary doctrine For example it provides a sound conceptual footing for understanding the relationship between fiduciary and non fiduciary duties highlighting the practical importance of analysing both forms of duties carefully when considering fiduciary claims Further it explains a number of tenets within fiduciary doctrine such as the proscriptive nature of fiduciary duties and the need to obtain the principal s fully informed consent in order to avoid fiduciary liability Understanding the relationship between fiduciary and non fiduciary duties also provides a solid foundation for addressing issues concerning compensatory remedies for their breach and potential defences such as contributory fault The distinctive purpose that fiduciary duties serve also provides a firm theoretical basis for maintaining their separation from other forms of civil obligation such as those that arise under the law of contracts and of torts

International Licensing Agreements Michala Meiselles, Hugo Wharton, 2018-10-02 Like any contract an international licensing agreement spells out the rights and obligations of the contracting parties manages potential risks and supplies a contingency plan for each party in the event the contractual relationship breaks down However international licensing of intellectual property software or technology confronts the contracting parties with its own distinct challenges When planning drafting and negotiating such agreements it is imperative to know exactly what core issues need to be addressed This book provides this know how in an easy to use clear and concise fashion This expert guide to the complex world of international licensing agreements brings together all the essential materials needed when dealing with such agreements and covers the following business models that may be used by the contracting parties standard provisions encountered in an array of international licensing agreements analysis of the key clauses in various international licensing agreements inter alia trademark software franchise and technology licences with provisions as affected by jurisdiction effect of competition law in a variety of jurisdictions ensuring trademark protection at both national and international levels clear explanation of key franchising terminology and disclosure rules and effect of international dispute resolution rules in a range of jurisdictions Alongside detailed contract analysis the book details numerous case studies from an array of industries with detailed

commentary Practitioners operating within or representing medium to large firms who normally have to prepare or provide advice on international licence arrangements will quickly find this reference material indispensable The book's thorough analysis of this complex area will also be welcomed by professionals working for universities industry interest groups government departments and international organisations *Human Rights and Capitalism* Janet Dine,A. Fagan,2006-01-01

Human Rights and Capitalism brings together two important facets of the globalization debate and examines the complex relationship between human rights property rights and capitalist economies Human rights issues have become increasingly important in this debate and their place as harbingers of justice or as an instrument of oppression is fiercely contended Both sides of this issue are considered in the contributions to this book and the complex relationships between human rights human dignity and capitalist economies are the themes running throughout the work Appearing at a time when these issues are a subject of extreme controversy this book is distinguished by its balanced and academic approach *Law at the Cutting Edge* Sinéad Agnew,Marcus Smith,2024-04-04

This collection celebrates the immense contribution of Sarah Worthington to the field of private law Defining the subject broadly experts from the judiciary and the academy address contemporary challenges arising in the fields of agency company law and insolvency contract law equity the law of money personal property restitution and unjust enrichment The breadth of the contributors' expertise and their willingness to offer innovative and insightful solutions to difficult problems perfectly mirror Sarah Worthington's rigorous and inspirational approach to private law scholarship **Supreme Court- County of Fulton , The Early History of the Old South Wales Iron Works (1760 to 1840).** John Lloyd,1906 *Corporate Business Responsibility* Justin O'Brien,2017-03-02

The 2008-9 crisis in global commercial debt markets exposed glaring deficiencies in corporate and regulatory operational and strategic risk management systems This collection provides an overview of how narrow conceptions of responsibility in corporate law organizational practice and regulatory dynamics facilitated the crisis The first section revisits the debates about the role of the corporation prompted by the publication of *The Modern Corporation and Private Property* 1932 The second section explores why the conception of enlightened shareholder interest gained and retained potency despite demonstrable failure The third section explores how the interaction between the foundational assumptions of corporate law and the questionable efficacy of shareholder control framed regulatory responses to the growth of financial capitalism The fourth section examines ways in which excess can be restrained by the interaction between hard law softer governance arrangements such as principles and crucially norms **Directors' Duties:A New Millennium, a New Approach?** Bruce Butcher,2000-04-13

This book is written from the perspective of a practising company lawyer and is principally concerned with two broad duties owed by directors of British and Australian companies to act honestly in good faith and for proper purposes and to exercise care and diligence Public attitudes towards directors have altered since the mid 1980s and the business community has raised its expectations of directors In response to this shift in public feeling parliament and the judiciary are adopting a new

approach to directors duties widening the scope of duties imposed on directors and encouraging a more rigorous approach to corporate governance Directors Duties analyses this new approach with reference to recent English and Australian case law and explores the courts attempts to deal with the myriad of competing interests found within the morass of legal rules equitable principles and statutory enactment which comprise modern company law In examining the latest case law and legislation the author addresses some of the more contentious and controversial issues which directors in the 21st century will need to confront in order to properly discharge the legal equitable and statutory requirements of their office The subject of directors duties is of considerable theoretical and practical importance from economic political as well as social perspectives This unique and important work will be of great value to all lawyers policymakers academics and researchers working in this complex and rapidly changing field of the law

Bulletin ,1910 **Court of Appeals** ,1900 *New York Supreme Court, Appellate Division-First Department: Commissioner of Public Welfare of the City of New York, on Complaint of Helen Schell, Complaint-Respondent, Against William Grossbard, Defendant-Appellant.* , *Court of Appeals: New York: No.445* Court of Appeals,1900 Modern Hospital ,1919 **The Cattleman** ,1961 **Hiddingh-Currie Publications** ,1970 *Supreme Court* ,1903 *The Publishers Weekly* ,1972 **Parallel Paths** Leonard Ian Rotman,1996 The author argues that the fiduciary obligations akin to trust obligations of the dominion government for Aboriginal people have been mistakenly interpreted as something similar to father son relations On the contrary the author contends that if one properly interprets papal bulls the Royal Proclamation and historical treaties it becomes clear that the true nature of fiduciary obligations is founded on nation to nation relationships *Duroc-Jersey Swine Record Association* ,1917 **International and Comparative Corporate Law Journal** ,2001

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