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Negotiating and Drafting Contract Boilerplate The Three and a Half Minute Transaction Select Concepts in Drafting Contracts, 2024 Boilerplate Library Licensing Select Concepts in Drafting Contracts, 2023 A-Z Guide to Boilerplate and Commercial Clauses Select Concepts in Drafting Contracts, 2014 Drafting Construction Contracts Boilerplate Behind and Beyond Boilerplate Legal Drafting Drafting of Contracts – Templates with Drafting Notes Boilerplate Clauses, International Commercial Contracts and the Applicable Law The Contract Drafting Guidebook A-Z Guide to Boilerplate and Commercial Clauses A Practical Guide to Software Licensing for Licensees and Licensors Drafting Effective Contracts Notes on the Art of Drafting Contracts Sample Form of Contract for Consultants' Services *Tina L. Stark Mitu Gulati Richard Christou Corey Halaychik Mark Anderson Samuel Frank Schoninger Omri Ben-*

Shahar Cynthia L. Elderkin Thomas R. Haggard Ravi Singhania Giuditta Cordero-Moss Scott J.

Burnham Mark S. Anderson H. Ward Classen Robert A. Feldman E. J. Marshall World Bank

this resource serves to educate lawyers and business professionals on how to draft the many types of boilerplate provisions a legal term that refers to the standardized one size fits all provisions of a contract each chapter tackles one of 20 provisions and analyzes why it is important the key legal and business issues raised and how to draft the provision to suit a particular transaction such analysis not only helps readers better understand how to draft these provisions in their contracts but also helps them better understand the other party s process

boilerplate language in contracts tends to stick around long after its origins and purpose have been forgotten usually there are no serious repercussions but sometimes it can cause unexpected problems such was the case with the obscure pari passu clause in cross border sovereign debt contracts until a novel judicial interpretation rattled international finance by forcing a defaulting sovereign for one of the first times in the market s centuries long history to repay its foreign creditors though neither party wanted this outcome the vast majority of contracts subsequently issued demonstrate virtually no attempt to clarify the imprecise language of the clause using this case as a launching pad to explore the broader issue of the stickiness of contract boilerplate mitu gulati and robert e scott have sifted through more than one thousand sovereign debt contracts and interviewed hundreds of practitioners to show that the problem actually lies in the nature of the modern corporate law firm the financial pressure on large firms to maintain a high volume of transactions contributes to an array of problems that deter innovation with the near certainty of massive sovereign debt restructuring in europe the three and a half minute transaction speaks to critical issues facing the industry and has broader implications for contract design that will ensure it remains relevant to our understanding of legal practice long after the debt crisis has subsided

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need help with contract clauses but only got a few minutes an alphabetical quick access guide to all you need to know the purpose and effect of common clauses explaining the relevance of each with illustrative examples now covers the meaning of breach substantial and material in clauses for termination beyond reasonable control in force majeure cases when a priority of terms clause will operate whether rules applying to penalties also apply to deposits the legal effectiveness of no amendment or no variation clauses legal frameworks and how the courts will view such clauses during a dispute new legislation such as the consumer rights act 2015 the general data protection regulations 2016 and the trade secrets directive also includes a step by step commentary examples of best practice in different situations detailed notes on each type of boilerplate clause a summary of relevant law including statutory definitions and case law precedents available as electronic downloads this title is included in bloomsbury professional s company and commercial law online service

boilerplate the fine print of standard contracts is more prevalent than ever in commercial trade and in electronic commerce but what is in it beyond legal technicalities why is it so hard to read and why is it often so one sided who writes it who reads it and what effect does it have the studies in this volume question whether boilerplate is true contract does it resemble a statute is it a species of property should we think of it as a feature of the product we buy does competition improve boilerplate looking at the empirical reality in which various boilerplates operate leading private law experts reveal subtle and previously unrecognized ways in which boilerplate clauses encourage information flow but also reduce

it how new boilerplate terms are produced and how innovation in boilerplate is stifled how negotiation happens in the shadow of boilerplate and how it is subdued they offer a new explanation as to why boilerplate is often so one sided with emphasis on empiricism and economic thinking this volume provides a more nuanced understanding of the dna of market contracts the boilerplate terms

this text provides a comprehensive and flexible teaching instrument for any course in legal drafting it contains text examples and exercises that deal with both contract and statutory drafting making the text suitable for a general drafting course or one that focuses on either of the two more specialized forms of a drafted document most of the chapters contain exercises that test students knowledge of and ability to apply the materials they also contain further drafting exercises that involve drafting or revising either specific provisions or entire contracts and statutes

this book is an essential handy guide for any draftsman and in house counsels as it not only contains the practical and usable templates that can serve as a prototype for the various contracts but also provides a sense about the purpose and critical points of the contract for each of the chapters along with the templates there is an introduction and drafting notes allowing a reader to grasp the essence and importance of the clauses it comprises of chapters on partnership procurement of goods services and assets mergers acquisitions and joint ventures real estate employment confidentiality franchise trademark patent copyright publishing broadcast reproduction and performer s rights agency hire purchase turnkey epc and project finance one chapter is exclusively devoted to one of the most important clauses in any contract ie the dispute resolution clause and it covers the intricacies of this clause with respect to different contracts this book will prove useful for professionals students in understanding the practical details of varied contracts act as a beginning point for practitioners and be useful for all considering the vast number of contracts dealt with key features a must to have for in house legal teams consultants legal practitioners and fresh lawyers templates of important and day to day contracts acting as a beginning point for practitioners practical and business oriented templates for day to day contracts with introduction and drafting notes special focus on dispute resolution clauses in most of the agreements useful for professionals students to understand the practical details

this book addresses the question of whether the drafting style of international contracts may actually achieve rendering the contract self sufficient the drafting style including the recurrence of boilerplate clauses in all types of contracts and irrespective of the governing law seems to aim at detaching the contract from any elements external to the contract itself including the applicable law this drafting style is originally based on the common law approach to contracts but is now adopted in most international contracts even when they are not subject to a law belonging to the common law family the analysis follows three different stages each dealt with in a different part of the book

this title provides up to date practical drafting guidance on the purpose and effect of a wide range of boilerplate clauses in common use it also covers a selection of other contract clauses frequently encountered in many types of commercial agreement the book includes a step by step commentary examples of best practice in different situations detailed notes on each type of boilerplate clause relevant precedents in full statutory definitions for ease of reference the clauses are arranged in alphabetical order for quick application of the drafting principles a disk containing the full text of all clauses and precedents is included free with the book

this new third edition is revised and updated with three new chapters and numerous forms it examines the fundamental issues that both licensors and licensees confront in the negotiation of a software license and where appropriate looks at relevant ancillary issues such as software development as well as maintenance and support it primarily focuses on non mass market agreements since most retail or mass market off the shelf software is governed by non negotiable shrinkwrap and clickwrap licenses the book is accompanied by and cross referenced to an annotated software license a companion cd rom is also included for customization of the software license and related forms

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