

2. Law of Property and Obligations

The Japan Association of Private Law held its 74th General Meeting at Hokkaido University on October 10 and 11, 2010.

First Day:

Reports:

First Section

- (1) “Basic Theory of Personal Rights Protection — Protection of ‘Human Dignity’ in the Civil Code —”
Tomoya Ishii (Associate Professor, Ibaraki University).
- (2) “Cause in the Formation of the Contract”
Satoru Takenaka (Associate Professor, Gakushuin University).
- (3) “Discussion of Policing Unfair Contract Terms — with Reference to the Substantive Policing Effect of the Unfair Terms Act in Germany —”
Naohiro Takeda (Associate Professor, Osaka University).

Second Section

- (1) “Significance and Limitation of the Nature of Contract in the Theory of Partnership”
Yasuhito Nishiuchi (Associate Professor, Kyoto University).
- (2) “Significance and Function of Payment for Damages in the Aspect of Contract Settlement”
Yoshihira Kanamaru (Professor, Kagawa University).
- (3) “Past, Present, and Future of Service Contract”
Norikazu Ashino (Professor, Toyo University).

Third Section

- (1) “Reconstruction of Contractual Interdependence in the Global Operations”
Kazuko Kobayashi (Associate Professor, University of Tsukuba).
- (2) “A Study on Structure and Effect of Exclusive Licence”

Oki Suwano (Associate Professor, Kinki University).

- (3) “Harmonization of Truth and Facts in the Status-based Occupancy in France”

Kaori Habu (Assistant Professor, Tokyo Keizai University).

Forth Section

- (1) “History and Modernity in the Theory of Rights and Liabilities of Members”

Kazunori Shintsu (Assistant Professor, Okayama Shoka University).

- (2) “Directors’ Duties and Liabilities in the Pursuit of Common Interests of Groups of Companies”

Madoka Shimizu (Associate Professor at Kyusyu University).

Workshop:

- (1) Theme A: Substantive Laws and Procedural Laws

The Person in Charge, Reporter, and Chairperson: Taro Kogayu (Professor, Tohoku University)

Commentator: Yukyo Hishida (Associate Professor, Tohoku University)

- (2) Theme B: “Legal Problems for the Framework of the Law on Payment Systems: a Functional Approach”

The Person in Charge and Reporter: Yasushi Koyama (Professor, Ritsumeikan University)

Chairperson: Emiko Chiba (Professor, Nagoya University)

- (3) Theme C: “The Proposal for the Framework of the Law on Payment Systems: A Functional Approach”

The Person in Charge and Reporter: Soichirou Kozuka (Professor, Gakushuin University), Hatsuru Morita (Associate Professor, Tohoku University)

Commentator: Hisaei Itou (Professor, Chuo University)

Second Day:

Symposiums:

- (1) “Protection of New Types of Interest and the Task of Tort Law”

Chairperson: Atsushi Omura (Professor, The University of Tokyo)

- (a) “General — Aims and Perspectives of this Symposium”

Reporter: Yoshihisa Nomi (Professor, Gakushuin University)

- (b) “Collision between Contract and Liability of Negligence — from the example of the case of economic loss (repair work cost) caused by defect in buildings —”

Reporter: Akiko Shindou (Professor, Hokkaido University)

- (c) “The Significance of Privacy — The Distribution Map of the Legal Interest of ‘Information’ ”

Reporter: Ken Mizuno (Professor, Gakushuin University)

- (d) “Factors of Violation of Interest and Rights in the Area of Environmental Destruction, Environment, Medical Services”

Reporter: Tadashi Otsuka (Professor, Waseda University)

- (e) “Article 709 of the Civil Code from the Perspective of Intellectual Property Law — The Study of Process-oriented Theory”

Reporter: Yoshiyuki Tamura (Professor, Hokkaido University)

- (2) “Reform of the Commercial Code”

- (a) “The Aim of this Symposium”

Chairperson: Hideki Kanda (Professor, The University of Tokyo)

- (b) “General — Present and Future of The General Rules of the Commercial Code and the Law of Business Practices”

Reporter: Tomotaka Fujita (Professor, The University of Tokyo)

- (c) “The General Rules of the Commercial Code — Focusing on Trade Names, Sale of Business, and Commercial Employees”

Reporter: Gen Goto (Associate Professor, Gakushuin University)

- (d) “Open and Current Account and Silent Partnership — Complication of The Law of Business Practices and Financial Law”

Reporter: Hiroyuki Kansaku (Professor, The University of Tokyo)

- (e) “Commercial Agents, Brokers, and Commission Agents — Restraint of Broker Business”

Reporter: Hiroshi Suzaki (Professor, Kyoto University)

- (f) “Transport business, The Warehouse Business Operator, and the Proprietor of an Establishment”

Reporter: Tomonobu Yamashita (Professor, The University of Tokyo)

- (3) “Problems of Financial Instruments and Exchange Act”

Chairperson: Mitsuo Kondo (Professor, Kobe University)

- (a) “Reviewing Regulations of Corporate Acquisitions”
Reporter: Masashi Shitani (Professor, Kobe University)
- (b) “Damages Caused by Misstatement — Form the Point of View of Compensation”
Reporter: Yoshio Shiomi (Professor, Kyoto University)
- (c) “Reviewing the Regulation of Insider-trading”
Reporter: Masahiro Maeda (Professor, Kyoto University)
- (d) “Regulations of Business Interface — in the Separation of Banks and Securities Companies”
Reporter: Yasuhiro Kawaguchi (Professor, Doshisha University)
- (e) “Law Enforcement to Protect Investors”
Reporter: Etsuro Kuronuma (Professor, Waseda University)

3. Family Law

The Japan Association of Socio-Legal Studies on Family Law held its 27th Annual Meeting at the University of Tsukuba on November 6, 2010.

Young Scholar’s Colloquium:

“Compulsory Execution of Visitation Rights of Children in Germany”
Daisuke Takahashi (Graduate Student, University of Tsukuba).

Symposium: “Diverse Families and Legal Problems”

Moderators: Masayuki Tanamura (Professor, Waseda University), Hiroko Sato (Professor, St. Andrew’s University).

Introduced by Masayuki Tanamura (Professor, Waseda University).

- (1) “Diversification of Common Law Marriage and Basis for Legal Protection”
Shuhei Ninomiya (Professor, Ritsumeikan University).
- (2) “Overview of Legislations on Same Sex Partnership”
Yasuhiko Watanabe (Professor, Kyoto Sangyo University).
- (3) “People Living with Gender Dysphoria and/or Gender Identity