

2. Law of Property and Obligations

The *Japan Association of Private Law* held its 75th General Meeting at Kobe University on October 9 and 10, 2011.

First Day:

Reports

First Section:

- (1) “The Current Problem of Compensation”
Osamu Saito (Professor, University of Hyogo).
- (2) “The Structure of Law Functioning to Adjust Compensation — Applying the Concept to Require the Adjustment of the Damage in case of the Comparative Negligence — a Tentative Proposal”
Yoshihito Hasegawa (Associate Professor, Kinki University).
- (3) “The Norm of Responsibility and Principle of Liability for those who Operate the Corporation — Re-thinking the Employer’s Liability and Related Issues”
Taro Nakahara (Associate Professor, Tohoku University).
- (4) “The Order of the Market and Consumer Protection — Distorted Thought Regarding the Legal Principle which Justifies the Firmly Declared Judgment”
Sachiyo Maki (Instructor, Niigata University)
- (5) “Protection of the Recipient who Gains Profit Obtained from the Unjust Enrichment among the Three Parties Relationship”
Hisanori Taki (Associate Professor, Kagawa University)

Second Section:

- (1) “The Axiom Structuring the Legal Parental Relation — with Reference to the Lawmaking Process in Germany”
Atsuko Kimura (Associate Professor, Kyoto University)
- (2) “The Inheritance of Divisible Claim and the Administration of Legacy”
Sakiko Miyamoto (Associate Professor, Kanazawa University)
- (3) “Observation on the Right to Rescind the Fraudulent — Reviewing the

Proposed Amendment of the Law of Obligations in Foreign Countries”
Shunji Nakanishi (Associate Professor, Okayama University of Science)

- (4) “Justification and Finalizing the Right of The Vendee to Claim the Further Fulfillment — with Reference to the Modernization of Trade Regulations in Germany”
Hiroshi Tanaka (Associate Professor, Kobe University)
- (5) “The Development of Formalism in U.S. Contract Law, and the Contract for the Transactions between the Corporations in Japan”
Ichiro Kobayashi (Legal Dept., Mitsubishi Corp.)

Workshop:

- (1) Theme A: “A New Paradigm for the Hypothecation, and Giving Education on it”
Reporter: Shigeru Kagayama (Professor, Meiji Gakuin University)
Chairperson: Emiko Chiba (Professor, Nagoya University)
- (2) Theme B: “Present Circumstances and Tasks Surrounding the Non-profit Corporation”
Reporter and Chairperson: Takeshi Sakuma (Professor, Kyoto University)
- (3) Theme C: “Changes Apparently Viewed in Policy-making of Commercial Law and Company Law — Focusing on the Amendment of the Regulations on the Institution and Fund Procurement”
Reporter and Chairperson: Hideyuki Matsui (Professor, Rikkyo University)

Second Day:

Symposiums:

- (1) “Ten Years under the Consumer Contract Law”
Chairperson: Nobuhisa Segawa (Professor, Waseda University)
- (a) “These Ten Years for Consumer Contract Law”
Reporter: Tsuneo Matsumoto (Professor, Hitotsubashi University)
- (b) “Uniqueness of the Consumer Contract Law under the Current Framing of Private Law”
Reporter: Mihoko Sumida (Associate Professor, Hitotsubashi University)

- (c) “Development of the Regulation for the Bargaining Process of the Contract, and Consumer Contract Law”
Reporter: Makinori Goto (Professor, Waseda University)
- (d) “Framing and Development, Consumer Protection Law Article 10”
Reporter: Yutaka Yamamoto (Professor, Kyoto University)
- (e) “The List of Undue Conducts Currently Designated in Consumer Protection Law, and Agenda”
Reporter: Aya Osawa (Associate Professor, Hosei University)
- (f) “Issues Regarding the Right of the Standing Consumers Organization to a Request for an Injunction ”
Reporter: Masatoshi Kasai (Professor, Kyoto University)
- (g) “Our Experience for These Ten Years since the Consumer Protection Law was Enacted — with a Wider View Including the Proposed Amendment of the Law of Obligations”
Reporter: Tsuneo Matsumoto (Professor, Hitotsubashi University)
- (2) “Law of Unjust Enrichment, - in the Present and in the Future”
Chairperson: Tamotsu Isomura (Professor, Kobe University)
- (a) “General Outline of the Law of Unjust Enrichment — Focusing On the Status of Unjust Enrichment When Loss and Benefit Are Caused by the Same Transaction”
Reporter: Hisakazu Matsuoka (Professor, Kyoto University)
- (b) “Law of Unjust Enrichment When the Loss and Benefit Are Caused without Transaction”
Reporter: Yoshikazu Kawasumi (Professor, Ryukoku University)
- (c) “The Law of Unjust Enrichment When Benefit is Caused by Voluntary Expense”
Reporter: Kenji Hirata (Professor, Osaka University)
- (d) “The Relationship with the Third Party in the Law of Unjust Enrichment”
Reporter: Masanori Fujiwara (Professor, Hokkaido University)
- (e) “Unjust Enrichment and Factors that Bring a Legal Effect”
Reporter: Shinichi Yoshikawa (the Kyoto District Court)