

Presenter's credentials

The workshop has been designed, and will be run, by Mark Anderson. His credentials are:

Solicitor: He is a practising solicitor, who is recommended in Chambers Directory 2011 for both life science transactions and intellectual property (IP). He is recommended in the international guide, IAM Licensing 2010, as a leading UK lawyer in the field of IP licensing.

Author on contract drafting: He is the author or co-author of 7 practitioner texts on contract drafting subjects, published by OUP, LexisNexis, Tottel and Law Society Publishing. These include:

Drafting and Negotiating Commercial Contracts (2nd edn, Bloomsbury, 2007). 'It is one of the best, if not the best, texts on the principles of commercial drafting... The material is extremely well written and accessible.' (Student Law Journal).

Execution of Documents (2nd edn, Law Society, 2008). "This is, for a highly technical law book, a riveting read. Keep it on your shelves and you'll be confident that you will have the answer to most issues about how to make a legal document work." (New Law Journal)

A-Z Guide to Boilerplate and Commercial Clauses (2nd edn, Bloomsbury, 2006). 'An extremely useful reference work, the book will be of great benefit to in-house counsel drafting commercial contracts' (the In-House Lawyer). '[The book] is very useful and I hope that it will reach a wider audience.' (His Honour Humphrey Lloyd QC, The International Construction Law Review).

Draftsman: He and his colleagues have drafted hundreds of precedents for commercial contracts, which have been published by OUP, LexisNexis and others. Their latest project is a 1,500-page loose-leaf comprising precedents and associated commentary on international life science agreements. As General Editor, Mark has coordinated commentary from commercial lawyers in 7 countries, including the UK, US, Germany and France. This has provided him with detailed insights into drafting issues in several common law and civil code jurisdictions.

Trainer: He has run CPD courses on contract drafting subjects for the last 10 years, including the popular Hawksmere course *Drafting Legal Clauses in Commercial Contracts*, which is run several times each year.

Course details

Duration: The course will provide the equivalent of 6 hours CPD.

Price: The course fee is £350 plus VAT per person. The price includes course materials, a light lunch, coffee and tea. 10% discount if two or more people attend from the same organisation.

We can arrange in-house courses for a fixed price at your premises, for between 5 and 20 people. We usually price these on the basis that the client arranges and pays for copying of course materials and the provision of a conference room, lunch, coffee and tea. Please ask for further details. For example, an in-house course within 100 miles of our offices would cost in the region of £1,750 plus VAT. This price assumes it is a standard course without 'tailoring' for the client (which we are happy to discuss).

Location and dates

To be confirmed. Depending on numbers, the course will be held in London or the Midlands, on 10th May 2011 and 8th November 2011.

For further information about us, please visit our website at www.andlaw.eu. Please register your interest in attending one of our courses by contacting Mark Anderson at:

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Contract Drafting An Advanced Level Workshop 2011

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Programme

9.30	Introduction to today's workshop Outline of workshop programme Contracts as technical documents to record legal obligations Combining maximum clarity, legality, and commerciality: how realistic?
9.45	Analysis of defective drafting Case examples illustrating poor quality drafting: Group discussion of defects and potential improvements Recommended drafting improvements, illustrating standard techniques for clear drafting
11.00	Coffee
11.15	Legal and 'official writing' conventions, traditions and assumptions Review of existing conventions Critical analysis of whether these are consistent with best contract drafting practice
12.00	Practical exercises; discussion of answers
12.45	Lunch
13.45	Drafting in the real world How the pressures of negotiation affect contract drafting; case examples How to reconcile commercial imperatives with drafting best practice
14.30	The Canons of Construction How the English courts construe contracts Magic wording: the interpretation of particular words and phrases Value and limitations of case law for the draftsman
15.15	Tea
15.30	Plain English What is it, really, and when is it best practice? When is it required: consumer contracts, etc Limitations of plain English techniques for contract drafting
16.00	How to manage drafting in complex situations Multi-party agreements International negotiations Settlements and other 'contentious' agreements
17.00	Close of Workshop

Contract Drafting An Advanced Level Workshop

This practical workshop will provide training and 'hands-on' experience in the drafting of commercial contracts. It is intended for people who already have several years' experience of drafting and negotiating commercial contracts, and who wish to take their drafting skills to an advanced level.

Specific topics to be considered in the workshop will include:

- **Plain English:** when should it be used and when should it be avoided?
- **Other standard techniques** for clear drafting: how prescriptive should you be?
- **Life in the real commercial world:** how do you adapt theoretical drafting techniques to the heat of negotiations?
- **Legal conventions, traditions and assumptions:** when should you follow established legal practice, and when should you ignore it in the interests of better contract drafting?
- **The Canons of Construction:** their practical use in the drafting and interpretation of contracts
- **Drafting in complex situations:** how to draft well in various situations, including multi-party agreements, international negotiations, settlement agreements

Who should attend?

This workshop is designed for people (lawyers, commercial managers and others) who understand the basic principles of contract drafting, and would like to increase their knowledge, and practise their drafting skills, with other experienced practitioners. Attendees will have at least 2 years' experience of contract drafting, and will probably have attended entry-level courses on the subject, prior to attending the workshop.

Please note: this is a course on the principles of contract drafting, with examples, exercises and practical case studies. Students should leave the course with a better understanding of those principles. It is not a course on contract law, nor does it discuss whether particular terms are commercially acceptable. These points may seem obvious, but past experience suggests they need to be made explicitly.

Preparation for the workshop?

Although not essential, attendees may find it helpful to read the following practitioner texts as preparation for the workshop: *Manual of Style for Contract Drafting*, by Ken Adams (2nd edn, American Bar Association 2008) *Drafting and Negotiating Commercial Contracts*, by Mark Anderson (2nd edn, Tottel 2007)

Comments from previous attendees of this course

'The presenter was good and very clear.'
'Well presented, good slides, good examples.'
'Very worthwhile & informative session on issues in contract-drafting'

(Average score for speaker presentation, technical content and documentation: 4.5 out of 5)