

Course : Negotiating and drafting a commercial contract

Practical course - 2d - 14h00 - Ref. CCC

Price : 1590 CHF E.T.

★★★★☆ 4,7 / 5

Thanks to a detailed, in-depth study of commercial contract clauses (purpose, terms, warranties, obligations, transfer, limitation of liability, etc.), you will be able to draw up your own contracts. You will also learn about the legal aspects of non-performance and competition law.

Teaching objectives

At the end of the training, the participant will be able to:

- ✓ Knowledge of legislation and case law on commercial contracts
- ✓ Analyze the scope of reciprocal obligations
- ✓ Analyze the essential clauses of a contract
- ✓ Drawing up a commercial contract

Intended audience

Sales managers and executives, sales representatives, legal assistants.

Prerequisites

No special knowledge required.

Course schedule

1 The commercial contract

- The contract, the law of the parties.
- Legal rules to be respected.
- Determining when a contract is formed.
- Modification of contractual obligations.
- Promises to sell.
- The seller's obligation to advise.

Exercise

Analysis of a case study on contract formation.

PARTICIPANTS

Sales managers and executives, sales representatives, legal assistants.

PREREQUISITES

No special knowledge required.

TRAINER QUALIFICATIONS

The experts leading the training are specialists in the covered subjects. They have been approved by our instructional teams for both their professional knowledge and their teaching ability, for each course they teach. They have at least five to ten years of experience in their field and hold (or have held) decision-making positions in companies.

ASSESSMENT TERMS

The trainer evaluates each participant's academic progress throughout the training using multiple choice, scenarios, hands-on work and more.

Participants also complete a placement test before and after the course to measure the skills they've developed.

TEACHING AIDS AND TECHNICAL RESOURCES

- The main teaching aids and instructional methods used in the training are audiovisual aids, documentation and course material, hands-on application exercises and corrected exercises for practical training courses, case studies and coverage of real cases for training seminars.
- At the end of each course or seminar, ORSYS provides participants with a course evaluation questionnaire that is analysed by our instructional teams.
- A check-in sheet for each half-day of attendance is provided at the end of the training, along with a course completion certificate if the trainee attended the entire session.

2 The scope of reciprocal obligations

- Obligation of means or results.
- Specifications.

Exercise

Analysis of the scope of reciprocal obligations based on case law decisions

3 Essential contract clauses

- Purpose of the contract. Contractual documents. Contract language.
- Effective date and duration. Contract renewal terms.
- Price and price revision terms. Payment terms, delivery times and place of delivery.
- Transfer of ownership and risks.
- Limitation of liability, force majeure.
- Dispute resolution and penalties. Commitment to confidentiality.
- The possibility of subcontracting the contract.
- Clauses protecting intellectual property.

Exercise

Practical case study to analyze the clauses of a commercial contract.

4 Dealing with breach of contract

- Suspension of performance.
- Rescission of the contract.
- Contract termination.
- Penalties.

Exercise

Group discussion and exchange on the subject of breach of contract.

5 The essentials of competition law

- Tariff transparency.
- Discriminatory practices.
- Abusive termination of commercial relations.

Exercise

Practical case studies in competition law.

TERMS AND DEADLINES

Registration must be completed 24 hours before the start of the training.

ACCESSIBILITY FOR PEOPLE WITH DISABILITIES

Do you need special accessibility accommodations? Contact Mrs. Fosse, Disability Manager, at psh-accueil@orsys.fr to review your request and its feasibility.

Dates and locations

REMOTE CLASS

2026: 2 Apr., 18 May, 1 Oct., 17 Dec.