REVIEW


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As the practice of law in the United States has become increasingly transnational and modern technology has quickened the pace of life, the need for ready answers to questions concerning private international law has grown exponentially. Now, G. Gregory Letterman, a Texas practitioner, has sought to provide the bar with a handy desktop reference on the most commonly encountered subjects in this field. Entitled Letterman’s Law of Private International Business, the reference seeks, as the author explains in the Introduction, to provide “a clear and adequate grounding in the law of private international business” to “businesspersons, general legal practitioners and students of the law who do not, and do not expect to, spend their professional lives largely or exclusively dealing with matters relating to private international business.”

Volume 1, which contains chapters 1-5, focuses on international trade. Volume 2, in which chapters 6-11 appear, is devoted to international capital. Volume 3, which houses chapters 12-16, covers a potpourri of specialized matters. An index to all three volumes appears immediately after chapter 16.

Each chapter averages about 140 pages in length and begins with an outline of the topics covered in the chapter (thereby relieving the reader of having to return to the full table of contents that appears in volume 1), a reference list indicating the location of relevant selections in the publisher’s companion works American Jurisprudence and American Law Reports, and an opening section that provides a succinct summary of the matters to be covered by the chapter. The opening

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section is then followed by additional sections of commentary. Most of the chapters have about a dozen such sections, although a few are much longer. Forms or a list of additional references appear at the end of several chapters.

The first two chapters describe and compare national legal systems and business cultures, discuss the selection and use of foreign professionals, and list and define terms that are commonly used in international business transactions. In these first pages the reader becomes acquainted with the differences that distinguish the world's legal systems, learns about the varying roles of judges, lawyers, and notaries in foreign countries, and is taken on a tour of the numerous international organizations with which an American lawyer may have dealings at one time or another.

With the preliminaries out of the way, the author devotes the rest of volume 1 to international trade and the nearly-endless number of regulations that are the hallmark of the subject. Chapter 3 covers exports, chapter 4 discusses imports, and chapter 5 considers foreign trade sanctions. Readers are familiarized with the United States Department of Commerce and its many agencies and programs and along the way receive advice regarding how to prepare goods for entry into and out of the United States and how to seek redress when they believe that they have been the victim of unfair competition from abroad.

Volume 2 turns its attention to the subject of international capital. Chapter 6 covers financial transactions, including letters of credit, currency and interest rate exchanges, and loans. Chapter 7 takes up the subject of overseas investment, whether such investment is direct and wholly owned or in the form of a joint venture or merger. Also considered is the subject of insuring such investments against risk and the liabilities of the investor who operates abroad.

Chapter 8 looks at the sale of goods and such surrogates as barter and countertrade. Product liability issues, government procurement policies, and commercial barriers also are canvassed. Chapter 9 deals with services, including banking, securities, insurance, transportation, construction, and professionals, such as accountants and lawyers. Chapter 10 explores the legal issues that arise in connection with the exploitation of natural resources. In addition to minerals and hydrocarbons, the chapter also includes discussions about forests, the oceans, commodity sales, and the general problem of protecting the environment.

The final chapter in volume 2 breaks with the rest of the volume and discusses transnational litigation and arbitration. Here the reader is taken on a tour of such subjects as service of process, the gathering of evidence located in a foreign country, sovereign immunity, the Act of
State doctrine, comity, choice of law problems, and the use of alternate dispute resolution techniques in an international setting.

In the final volume the author deals with a host of issues. Chapter 12 considers patents, copyrights, trademarks, the transfer of technology, franchising agreements, and computers. Chapter 13 deals with tax matters, including tax treaties, tax havens, and personal, corporate, and estate taxes across national boundaries. Chapter 14 discusses immigration and labor law, although the latter subject is treated only at the very end of the chapter. Recognizing that even after fourteen chapters there is still a lot of ground to cover, chapter 15 picks up a number of miscellaneous matters, including such topics as foreign corrupt practices, boycotts, and the application of the United States' antitrust laws to foreign companies.

The final chapter, chapter 16, contains five national case studies. The five countries profiled in this chapter are Canada, China, Japan, Mexico, and the European Economic Community (EEC). For each one, the author discusses what he considers to be the key issues likely to be faced by an international lawyer when dealing with that country. Thus, the section on Canada focuses on the U.S.-Canada Free Trade Agreement, the China section is concerned with technology transfer, the Japanese profile studies the American trade problem, the section on Mexico looks at foreign investment in that country, and the EEC part is devoted to a study of the implications of 1992.

To his credit, the author readily recognizes that even three volumes cannot begin to cover in detail some, let alone all, of the subjects that he wishes to discuss:

Definitive and exhaustive are words which are not expected to be used to describe this reference. Each of the subjects covered by this reference have themselves been the subject of volumes, if not sets of volumes, of a length equal to or surpassing that of this entire reference. Topics the subject of scholarly treatises may sometimes be glossed over in this reference through treatment by only a mere sentence.

Moreover, the work is written from what the author describes as "a uniquely American perspective."

Given these limitations, the work succeeds admirably at its stated goal of being a quick tutor for the uninitiated. The author goes to great pains to take nothing for granted, avoids becoming bogged down in unnecessary details, adds citations with a sparing hand, and consistently provides helpful practice tips, sound advice, and relevant addresses and telephone numbers. While this book will never serve as more than a
refresher for those who make their living in the field of private international law, those who do not are likely to find that G. Gregory Letterman is a useful name to know.