desses direitos no que diz respeito a composições musicais, de sorte a avaliar, nesse campo específico, a maleabilidade da proteção aos direitos autorais e sua adequação à criação de novas obras. Para tanto, remete-se à experiência criativa de e sobre Noel Rosa, expoente do samba brasileiro.

A Revista DIREITO GV agradece aos autores e aos detentores dos direitos sobre os textos traduzidos, além dos tradutores e revisores: os professores Viviane Muller Prado, Marta Rodrigues Assis Machado, Flávia Portella Püschel, José Rodrigo Rodrigues e Bruno M. Salama, além das pesquisadoras Maria Carolina Foss e Vivian Cristina Schroscher.

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Espero que os leitores apreciem este número da Revista DIREITO GV e continuem a prestigiar nosso trabalho.

Boa leitura!

O Editor

EDITOR’S LETTER

The activities of corporations interest many regulatory fields such as Corporate Law, Consumer Law, Criminal Law, Tax Law, Labor Law, Environmental Law etc. This is a varied complex area that deals with the interests of tax payers, stockholders, stakeholders, workers, executives, governments, international organizations, consumers etc. Regulating corporations is not a strictly business issue, but a social issue that can be studied from different perspectives.

Revista DIREITO GV n. 7 is mainly dedicated to corporations. One of its highlights is the article by Pr. Klaus J. Hopt from the Max Plank Institute-Hamburg that compares the EU and the USA corporate regulation. This issue also includes two important translations on other themes and four articles on contracts, copyright, tax law and on the role of lawyers. Let me start by presenting the two translations.

The first translation is a classical article by Eric A. Posner on social norms that applies Law & Economics postulates to the study of symbolic interactions between human beings in general. Posner is one of the leading scholars of the Law & Economics movement. This translation includes notes elaborated by José Rodrigo Rodriguez, Bruno M. Salama and Maria Carolina Foss to facilitate the comprehension of economic terminology.

The second one is the research agenda of the Max Plank Institute for Foreign and International Criminal Law written by its Director, Prof. Ulrich Sieber. The text makes an impressive analysis of the main problems faced by contemporary Criminal Law in the context of a risk society preoccupied with security issues. It gives close attention to terrorism, international organized crime and internet crimes.

The first five articles are on corporation or corporations-related issues like arbitration, the protection of investors, corporate regulation and antitrust law.

The first article, “The economics of arbitration: rational choice and value creation” by Celso Fonseca Pugliese and Bruno Meyerhof Salama examines the institute of arbitration and its relationship with court activities from the perspective of transactions costs. Its shows how arbitration can reduce the transactions costs in a certain normative environment and contribute to institutional improvement. The competition between arbitration and jurisdiction both stimulate the creation of fast procedures to solve conflicts and tend to increase the performance of contracts.

“The Protection Of Investors In The German Corporate Governance Code” by Roberto de Araújo Chacon de Albuquerque analyzes the German Corporate Governance Code as a
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tool to foster the confidence of investors and the
general public in the functioning of compa-
nies listed on the stock market. Based on
nationally and internationally accepted stan-
dards, the Code contains recommendations that
aim at favoring a more efficient cooperation
between the Board of Directors and the
Supervisory Board. The article also highlights
the connection between corporate governance
and the promotion of transparency in compa-
nany management.

“The modernization of corporate law: a
transatlantic perspective” by Klaus J. Hopt,
already mentioned above, is the transcript of a
lecture at DIREITO GV given in September

“Content and logical structure of the arti-
cle 20 of statute 8.884/94 (antitrust law)” by
Marcel Medon Santos is an interdiscipli-
nary study of a standard of the Brazilian
antitrust Law. The article combines Law and
Economics and analyses the logical structure of
the Brazilian Antitrust legal standard for anti-
competitive conduct, identifying the criteria
that compose it, and allowing thereby the loca-
tion of the terms that enable the use of economic
instruments and legal prudence in the analysis
of anticompetitive conduct.

“Corporate regulation in the New Brazilian
Civil Code” by Ligia Paula Pires Pinto Sica is an analysis of the role of judges and case law
in the interpretation of the norms on corpora-
tions of the new Brazilian Civil Code. The main
concern of the article is to reflect on how Law can
guarantee economic agents the level of legal
certainty needed to exercise their activities with-
out losing its autonomy.

The five articles presented above are fol-
lowed by other four on varied themes and by the
two translations mentioned above.

“The impact of the internation treaties on
tax law on the brazilian law” de Gustavo
Mathias Alves Pinto presents the main aspects
of the interaction between tax treaties and
national law within the Brazilian legal system,
including the exam of the Constitution and
statutes, as well as the relevant cases on the
subject. The article aims at demonstrating that,
regarding the specific situations addressed in its
body, the tax treaty takes precedence over the
national law, based on the principle of self-lim-
itation of taxation power.

“The possibility to stipulate payments in
foreign currency in Brazilian Law” by Marcelo
Sampaio Siqueira examines the rules for null-
ifying contract clauses for payments in foreign
currencies, in Brazil, even when the conversion
to national currency might occur when the obli-
gation is due. For that purpose, this paper
analyses article 318 of the new Brazilian Civil
Code and the special regulations on this subject.

“New Products’ As A Lawyer’s Competence”
by Gilberto de Abreu Sodré Carvalho is an
analysis of the role of lawyers in the development
of new products projects. This article aims at pro-
viding a possible methodology for a new products
project in which counseling has protagonist role.
In such methodology the coined term ‘Pre-
Product’ shows the idea of an object being
modeled in accordance with its adaptation to sev-
eral legal structured environment systems until
it becomes a product to be launched.

“Seventy Years Later: Noel Rosa’s Copyrights”
by Daniel do Amaral Arbix aims to analyze
such rights’ functionality with respect to musi-
cal works, in order to evaluate, in this field
specifically, the flexibility of copyright pro-
tection and its adequacy for the creation of
new works. To perform such task, the creative
process of Brazilian samba expert, Noel Rosa,
is examined.

Revista DIREITO GV wishes to thank
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We hope our readers will appreciate this issue and keep stimulating our work.

Good reading!

The Editor