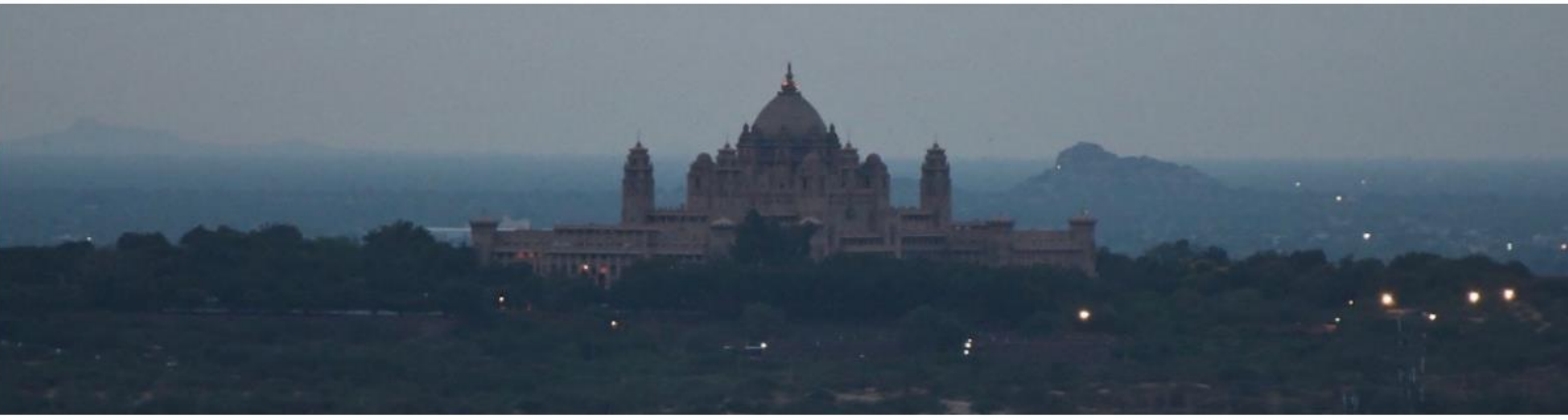
IN PARTNERSHIP WITH
A&O SHEARMAN



COMPETITION RULEBOOK

THE NATIONAL LAW UNIVERSITY JODHPUR

INTERNATIONAL DEAL NEGOTIATION COMPETITION

IN PARTNERSHIP WITH A&O SHEARMAN

28TH FEBRUARY - 2ND MARCH, 2025

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1. GENERAL

1.1. The National Law University, Jodhpur International Deal Negotiation Competition, 2025 in partnership with A&O Shearman, [the "**Competition**"] shall be hosted by National Law University, Jodhpur ["**NLUJ**"], between February 28 – March 2, 2025.

1.2. The Competition has been instituted with the aim of offering law students across the world the opportunity to test and hone their commercial awareness and negotiation skills in a unique setup and allowing them to negotiate complex real-life commercial issues in mock simulation sessions.

1.3. These rules shall be the complete rules and shall supersede any prior communication or direction in relation to the subject matter of these rules. Any interpretation of these rules shall be at the complete discretion of the Competition Administrators, and their decision shall be final in that regard.

2. DEFINITIONS

2.1. "**BATNA**" means the Best Alternative to a Negotiated Agreement and refers to the best step for a party to take, if the Parties fail to reach an agreement;

2.2. "**Competition Rules**" means these rules of the Competition;

2.3. "**Competition Administrator(s)**" means the Alternative Dispute Resolution Committee [the "**ADRC**"], in charge of organizing and managing the Competition;

2.4. "**Confidential Information**" means certain factual information in relation to a Negotiation Proposition that is provided exclusively to only one party;

2.5. "**Eligible Student(s)**" means a student who is enrolled in a full-time law degree at the time of the Competition;

2.6. "**Expert Assessor**" means a lawyer, an academician, or any other person nominated and/or selected by the Competition Administrator who will evaluate and score the performances of the Participating Teams during the Negotiation Session in accordance with the Competition Rules;

2.7. "**General Information**" means factual information with respect to a Negotiation Proposition that has been provided to both parties;

2.8. "**Judging Criteria**" has the meaning given to it in Rule 6.3;

2.9. "**Negotiation Plan**" has the meaning given to it in Rule **Error! Reference source not found.**;

2.10. "**Negotiation Session**" means the period during which the Participating Teams will negotiate a Negotiation Proposition in the Preliminary, Semi-Final or Final Rounds, as provided under Rule 5;

2.11. "**Negotiation Proposition**" means an official problem distributed by the Competition Administrators to the Participating Teams, which may further be amended/supplemented by subsequent clarification, and which shall be used as the basis of the Negotiation Session by the Participating Teams. The Negotiation Proposition includes General Information and Confidential Information;

2.12. "**Participating Team**" means a group of two Eligible Students allowed, as per the Rules provided by the Competition Administrators, to participate in the Competition;

2.13. "**Penalties**" means points deducted for any violation of the Competition Rules in accordance with Rule 6.5;

2.14. "**Penalty Score Sheet**" means the sheet enclosed in **Error! Reference source not found.**;

2.15. "**Q&A Session**" means the period of an interactive segment during which the Expert Assessors shall pose inquiries to the participants regarding the proceedings or substance of the Negotiation Session.

2.16. "**Score Sheet**" means the sheet enclosed in **Error! Reference source not found.**; and

2.17. "**WATNA**" means the Worst Alternative to a Negotiated Agreement and refers to the worst acceptable step that the party could take if they fail to reach an agreement.

3. TEAM COMPOSITION

3.1. Each Participating Team shall consist of 2 (two) Eligible Students, one playing the role of "**Client**", and the other playing the role of "**Counsel**". Each Eligible Student shall act as the "Client" and "Counsel" in at least one Preliminary Round;

3.2. There shall be no change in the composition of a Participating Team after notification to the Competition Administrators. Any change in the team composition after it has been communicated to the Competition Administrators, without reasonable cause, may attract a penalty at the discretion of the Competition Administrators, which may extend to the team's disqualification under Rule 8.1.1 of these Rules; and

3.3. The term "reasonable cause", as used in Rule 3.2 above, shall be interpreted, and conclusively determined at the discretion of the Competition Administrators.

4. NEGOTIATION PROPOSITION

4.1. UNDERSTANDING THE PROPOSITION

4.1.1. A Negotiation Proposition is the information that will be given to the Participating Teams based on which they will be introduced to the problem and can devise strategies to come to an amicable solution. Each of the five rounds will have a separate proposition.

4.1.2. While the Participating Teams are not allowed to create new facts, the Negotiation Proposition is subject to reasonable interpretation and the Participating Teams may draw reasonable conclusions from them. Whether a Participating Team's interpretation is reasonable is a matter entirely within the discretion of the Expert Assessors.

4.1.3. Failure to stay within a reasonable interpretation of the Negotiation Proposition may result in a Penalty as per the discretion of the Expert Assessors. In case of any doubt in the understanding or interpretation of any matter concerning the Negotiation Proposition, the decision of the Competition Administrators will be final and binding.

4.2. GENERAL INFORMATION AND CONFIDENTIAL INFORMATION

4.2.1. The Negotiation Proposition is divided into two parts: (i) the General Information; and (ii) the Confidential Information.

4.2.2. The General Information will give the teams a lay of the land with respect to what each party expects. The General Information for all the rounds will be given prior to the commencement of the Competition on a date that will be notified to the teams by the Competition Administrator.

4.2.3. The Participating Teams will receive information as to which party (side) they will be representing 30 (thirty) minutes prior to the commencement of the Negotiation Session.

4.2.4. The Confidential Information, which will be more specific and help the parties take a concrete position, will be communicated 30 (thirty) minutes before the commencement of the Negotiation Session.

4.2.5. The Confidential Information is only for the appreciation of the respective team, and dissemination of the same outside of the Negotiation Session, before the conclusion of the Competition, will lead to penalization as the Competition

Administrators see fit.

5. NEGOTIATION SESSIONS

5.1. STRUCTURE OF NEGOTIATION SESSIONS

5.1.1. The Competition will consist of five rounds: two Preliminary Rounds, one Quarter-Final Round, one Semi-Final Round, and the Final Round. The nature of these rounds will be hierarchical, and proceeding to the next round will depend on performance in the previous one.

5.1.2. The teams will not be given the option to invoke a private caucus but may communicate with their other team member audibly (such that the Expert Assessors and other party can hear them) during the round itself. Such communication should be professional and will be considered a part of the round.

5.2. TIME LIMITS

5.2.1. The time limit for the Preliminary Rounds and Quarter-Final shall be 80 (eighty) minutes, a break-up of which is as follows:

5.2.1.1. 60 (sixty) minutes for the Negotiation Session;

5.2.1.2. 10 (ten) minutes for the Q&A Session; and

5.2.1.3. 10 (ten) minutes for the Expert Assessors to score the Participating Teams.

5.2.2. The time limit for the Semi-Final and Final Rounds shall be 120 (one hundred and twenty) minutes, a break-up of which is as follows:

5.2.2.1. 90 (ninety) minutes for the Negotiation Session;

5.2.2.2. 20 (twenty) minutes for the Q&A Session; and

5.2.2.3. 10 (ten) minutes for the Expert Assessors to score the Participating Teams.

5.2.3. The Competition Administrator shall supervise each round and will be responsible for keeping time. The Competition Administrator will give 30-minute, 15-minute and 5-minute warnings and will announce when the time is up. The negotiations shall stop at the end of the allotted time. The decision of the Expert Assessor on the allocation of time shall be final.

5.2.4. The Expert Assessors may adjust the time limits set out in Rules 5.2.1 and 5.2.2 if they deem it to be necessary and as per their discretion.

5.3. TEAM RANKINGS AND PROGRESSION

5.3.1. The Expert Assessors shall evaluate the performance of the Participating Teams on the basis of the Judging Criteria stipulated in Rule 6.3 read with **Error! Reference source not found.**.

5.3.2. The top 8 (eight) teams with the highest aggregate score in the Preliminary Rounds shall progress to the Quarter-Final Round.

5.3.3. In case of a tie in the aggregate scores, progression to the Quarter-Final Round shall be based on the following criteria:

5.3.3.1. In the event of a tie in the previous criterion, the team with the lowest score difference between the scores of both their Preliminary Rounds shall progress. For the purposes of this criterion, the total combined scores of both the Participants shall be considered to be the score of that Preliminary Round; and

5.3.3.2. In the event of a tie in the previous criterion, the team with a higher score in 'Negotiation Strategy' shall progress.

5.3.4. Progression from the Quarter-Final, Semi-Final and Final Rounds shall progress on a knock-out basis, wherein the Participating Team scoring the higher score (as compared to the Participating Team representing the other party in that particular Negotiation Session) shall advance to the next round.

6. EXPERT ASSESSORS

6.1. SELECTION OF EXPERT ASSESSORS

6.1.1. The Expert Assessors for the Competition shall be selected by, and assigned to, the Negotiation Session for each round by the Competition Administrators; and

6.1.2. The Competition Administrators shall try, so far as possible, that the Participating Teams encounter new Expert Assessors in every round.

6.2. EXPERT ASSESSORS IN EACH ROUND

6.2.1. The teams in the Preliminary Rounds shall be evaluated by at least one Expert

Assessor, while the teams in the Semi-Final and Final Rounds shall be evaluated by at least two Expert Assessors. The Competition Administrators shall make all efforts to ensure that each Negotiation Session is judged by an equal number of Expert Assessors. The final number of Expert Assessors in each Negotiation Session shall be at the discretion of the Competition Administrators.

6.3. JUDGING CRITERIA

Each Participating Team shall be evaluated and scored for their performance by the Expert Assessors on the basis of the Judging Criteria mentioned in this rule read with **Error! Reference source not found.**. The Judging Criteria shall include the following parameters:

6.3.1. Introduction: At the outset of the Negotiation Session, the Participating Teams will be required to briefly present their respective factual situations. The parties shall limit themselves to the information that is in accordance with the proposition;

6.3.2. Identification of Issues and Setting the Agenda: The Participating Teams shall identify key issues for each of the parties and in doing so, set the agenda for the Negotiation Session. This shall be done to provide a structure to the discussion;

6.3.3. Role Division: All the Participants are required to provide an equal contribution to the discussion, wherein, the Clients are expected to focus on commercial aspects and to take decisions favourable for their respective sides, while the Counsels are expected to focus on the legal and technical aspects of the discussion;

6.3.4. Teamwork and Co-ordination: The Participating Teams must showcase teamwork in the Negotiation Session through an active distribution of work according to their roles and by carrying on their discussion in a coordinated manner. Participating Teams will also be judged on their ability to a build relationship with the other party;

6.3.5. Creative Legal Solutions: Through the course of the Negotiation Session, Participants are encouraged to generate creative solutions that favour their side; and;

6.3.6. Q&A Session: The Participating Teams must be able to accurately assess their respective situations and present their specific needs/interests and their Negotiating Strategies to the Expert Assessors. The Expert Assessors may also ask the Participating Teams any question relevant to their round which may be

based upon the Negotiation Strategy adopted by them, the solutions they presented or relating to the rationale behind any of their actions in the round.

6.4. Participating Teams will not be judged on:

6.4.1. Their ability to reach an agreement at the end of the stipulated time of the Negotiation Session; and

6.4.2. Aspects of the Negotiation Plan submitted.

6.5. The Expert Assessors shall keep their evaluation of the Participating Teams, through scoresheets, confidential.

6.6. PENALTY

Subject to the discretion of the Expert Assessors, the following, inter alia, shall attract a penalty, to be deducted from the scores secured in the Negotiation Session:

6.6.1. Failing to adhere to the time limit for the Negotiation Session as laid down in the Rules;

6.6.2. Failing to stay within a reasonable interpretation of the Negotiation Problem.

7. AWARDS

8.1. GENERAL AWARDS

8.1.1. **Winning Team Award**: The Participating Team that secures the highest score in the Final Round of the Competition shall be declared as the Winner.

8.1.2. **Runners-Up Team Award**: The Participating Teams that secures the second highest score in the Final Round shall be declared as the Runners-up Team.

8.1.3. **Best Negotiation Plan**: The Participating Team that secures the highest average score for their two Negotiation Plans for the Preliminary Rounds shall be awarded the Best Negotiation Plan Award.

8.1.4. **Runners-Up Negotiation Plan**: The Participating Team that secures the second highest average score for their two Negotiation Plans for the Preliminary Rounds shall be awarded the Runners-Up Negotiation Plan Award.

8.1.5. **Spirit of the Competition Award**: The Participating Team that best exemplifies the spirit of negotiation and communication in its interactions with other teams

during the Competition will be chosen by the Competition Administrators.

8.1.6. Participation Certificate: Each member of a Participating Team shall be awarded a Participation Certificate.

8.2. SPECIAL AWARDS

8.2.1. Best Client Opening Statement: The Client with the highest cumulative score in the "Opening Statement" segment of the scoresheet in the preliminary rounds.

8.2.2. Best Counsel Opening Statement: The Counsel with the highest cumulative score in the "Opening Statement" segment of the scoresheet in the preliminary rounds.

8.2.3. Best Client Award: The Client with the highest cumulative score of all segments in the scoresheet in the preliminary rounds.

8.2.4. Best Counsel Award: The Counsel with the highest cumulative score of all segments in the scoresheet in the preliminary rounds.

8.2.5. Distinction in Relationship Building with the Other Team: The Participating team with the highest cumulative score in the "Teamwork & Relationship Building" segment of the scoresheet in the preliminary rounds.

8.2.6. Distinction in Commercial Awareness: The Participating Team with the highest cumulative score in the "Negotiation Strategy & Identification of Commercial Issues" segment of the scoresheet.

8.3. A Participating Team qualifying for the Winning Team or the Runners-Up Team Award as per Rules 8.1.1 and 8.1.2. shall be automatically disqualified from consideration for the Best Negotiating Pair Award, Runners-Up Negotiating Pair Award, and any special awards as per Rule **Error! Reference source not found.**, **Error! Reference source not found.** and 8.2.

8. DISQUALIFICATION AND BLACKLISTING

8.1. Subject to the discretion of the Competition Administrators, the following may result in the disqualification of a Participating Team:

8.1.1. Any change in the composition of the Participating Team after it has been communicated to the Competition Administrators;

8.1.2. Failure to submit the Negotiation Plan in accordance with the timelines and Rules communicated by the Competition Administrators, or the submission of dummy Negotiation Plan;

8.1.3. Sharing of Confidential Information to any other Participating Team or University, prior to the conclusion of the Competition;

8.1.4. Use of unauthorized electronic devices, or the use of authorized electronic devices during the Negotiation Session for unauthorized purposes, including but not limited to seeking assistance, and recording or photographing the Negotiation Session; and

8.1.5. Any other non-compliance of the Rules of the Competition, as per the discretion of the Competition Administrators.

8.2. Any unjustified withdrawal from participation in the Competition by a University may lead to its blacklisting from future editions of the Competition, as per the discretion of the Competition Administrators.

8.3. Any decision taken by the Competition Administrators regarding disqualification or blacklisting shall be final and not subject to appeal.

8.4. Any decision under Rule 8.2 shall be communicated in writing to the University of the Participating Team.

9. MISCELLANEOUS

9.1. LANGUAGE

The language of the Competition is English. All communications, oral and written, throughout the course of the Competition, shall be in English.

9.2. TIME

Time and deadlines as referenced in the Rules or in any other communications shall follow Indian Standard Time (IST).

9.3. COMMUNICATIONS

9.3.1. Negotiation Plans must be submitted through the Team Account on the Competition website.

9.3.2. For queries, clarifications or concerns, the Competition Administrators may be contacted through the Contact Us form on www.idnc.in or by email at info.idnc@nlujodhpur.ac.in.

9.3.3. Communication made to one member of a Negotiating Team by the Competition Administrators shall be deemed to have been made to the entire Participating Team.

9.4. ACCOMMODATION

9.4.1. Off-campus accommodation, as well as transportation to and from the Competition Venue, shall be provided by the Competition Administrators to Negotiating Teams for the duration of the Competition.

9.4.2. Accommodation and transportation shall not be provided to Coaches who choose to attend the Competition.

9.5. SCORE SHEETS

Negotiating Teams shall be given access to their Preliminary Rounds Score Sheets upon request post the completion of the Competition.

9.6. RESIDUARY RULES

9.6.1. Power to make amendments or revocations:

9.6.1.1. The Competition Administrators shall have the power to amend or revoke these Rules, either in part or in full, as it sees fit, to ensure the smooth conduct of the Competition;

9.6.1.2. Any such amendment or revocation shall come into force upon its notification.

9.6.2. The Competition Administrators shall also have the power to take any other measures to ensure the smooth and fair conduct of the Competition.

9.6.3. The Competition Administrators shall be the sole authority on the interpretation of these Rules, and such interpretation shall be final and not subject to appeal.