

Students Going Cross- Border for Start-ups

A global outlook

Experience shows that many of the ICT/tech start ups that come to law students for support have an international outlook. They might already have to deal with laws from multiple countries. Or their growth ambition means they will very soon have to. Through legal incubators, law students are uniquely positioned to help start ups chart these foreign waters.



iLINC
ICT Law Incubators
Network

For today's law students, a purely national focus does not suffice to prepare them for working in legal practice. If ICT law clinics want to offer cross-border learning experiences, what are the possibilities? In this short brief we explore a number of options, drawn from existing collaborations and those in the making. Regardless of the size, maturity and orientation of your start-up support plans, there is always a possibility to integrate an international activity. The iLINC network can help: notably through referring foreign start-ups to your programme, and by

bringing you into contact with start up advice initiatives at other universities. In addition, iLINC can alert you to relevant international events for start ups or by assisting in the coordination of events for multiple law incubators.

Why Collaborate Internationally?

Both start up entrepreneurs and law students stand to gain from cross border legal support. For start-ups, awareness that their activity – now or in the future—is not just impacted by regulation in their country of establishment is vital if they want to scale. Law students too need to develop a broader perspective beyond “home law”, to be able to effectively deal with the effects of globalization of businesses in their professional careers.

If we zoom in on Europe, we see how EU legal norms deeply affect national laws. And through the guarantees of free movement of people, capital, goods and services the EU institutions foster cross border commerce. EU law is an indispensable part of academic programmes. But a deeper understanding of the significance and limits of harmonization of laws and how it impacts businesses is best acquired through exposure to local legal and business cultures. Universities recognize the importance of international experience and commonly offer students the option to study abroad, like through the highly successful Erasmus exchange programme. Valuable as they are, such generic programmes do not necessarily offer the student the learning experience that cross border work provided through ICT law incubators can.

Benefits for students

We know that clinical legal education brings students many benefits. For example, experience gained from work in ‘real life’ situations motivates students and invigorates their appetite for legal practice. Applying theoretical knowledge of the law to real problems deepens the understanding of legal concepts and helps develop skills to

resolve conflicts of legal norms. Very importantly, students acquire an understanding of law in context as legal rights are juxtaposed with practical considerations, such as cost and commercial relationships.¹ Adding an international dimension to student experience enlarges all such benefits. The exposure to foreign business and legal cultures helps students develop skills and attitudes they need to function successfully in a global community.

Clinic development itself can also benefit greatly from cross-border collaboration. Students have a very active role in running their start-up advice services. Budding clinics can learn from established ones, but students from established ones can equally find inspiration for improvement and novel services by engaging with other clinics.

Inspiring ways

Bringing knowledge on foreign law to your clinic can of course also **start at the student recruitment phase**. Qlegal at Queen Mary University London for example draws part of its students from international LLM programmes. The Start-up Clinics at Berlin based Alexander von Humboldt Institute for Internet & Society are run by researchers of the Innovation and Entrepreneurship team, which recruits internationally.

Probably your law school takes part in exchange programmes with foreign universities. Courses in clinic work can be part of it. If your incubator is an extra-curricular activity, consider involving the foreign exchange students.

In the iLINC network **start-up driven collaborations** rapidly become common place. The actual advice needs of a particular start-up client trigger cross border collaboration. The local clinic signals that an analysis of the legal situation in another country is required, and through the iLINC network the proper partner clinic is approached. Together the students – with help from mentors—decide how to deliver advice.

A concrete challenge of one start-up can also inspire cross-jurisdiction collaboration on

advice that is valuable to a wider group of companies. For example, students of the University of Amsterdam's Clinic helped a Dutch start-up in the field of 3D printing. The company built a digital service platform to match up owners of 3D printers with customers looking to have a design printed. Liability for what is printed by platform users was one concern, and the students advised the company on relevant Dutch and EU law. Soon the company expanded to the U.S. The Amsterdam Clinic teamed up with BLIP at Brooklyn Law School. The students developed an international "code of conduct", elaborating ethical standards for users of peer to peer 3D printing series to prevent misuse of the technology.

Since many of the legal issues confronting tech and internet enabled start ups have international dimensions, such legal problems and policy challenges are ideal for students to jointly work on. The policy work done at BLIP is an inspiration for transatlantic projects.

Rather than wait for an actual cross-border problem of a start-up to come along, law clinics can also opt for **student-driven collaboration**. *Short study visits* allow students to exchange knowledge and ideas, for example on how to reach out to digital start-ups for example. It also gives them valuable comparative insights: asking what unites or sets apart one start-up community from the other? How can we turn this into better service delivery?

Qlegal and the Amsterdam Clinic organized just such an event, with participation of the Leuven and Berlin incubators: students visited Q-legal in London, as well as local start-ups and Q-legal partner firms. Students also took part in an advice competition based on a real legal case study. That is a playful way for students to compare strength and weaknesses and practice legal and communication skills.

Competitions can be taken a step further. International Moot Court competitions are a familiar feature at most law schools and they exist in fields relevant to start-ups, such as media law and intellectual property. But closer to start-ups are transactional problems. The competitions of the kind that are on the

rise in the U.S., like [Lawmeets](#) and [IPmeets](#) focus on dealmaking, a great opportunity for students to train negotiation skills over a longer period. Several iLINC partners are exploring with Lawmeets and IPmeets initiator prof. Okamoto how teams from European incubators can join such competitions.

Finally, for academic staff involved in clinical legal education, an international outlook is key too. To develop the best learning environment it helps to draw upon the experience of sister institutions. iLINC facilitates such exchanges through its Best Practices events, which have already taken in place in London, Amsterdam and Berlin. But smaller events, where staff involved in two or three incubators meet, are very useful too and easily organized. There are plenty of options for cross-border collaboration. What the right path is for your incubator depends of course on its focus, size, institutional embedding and maturity.

iLINC is the European Network of Law Incubators. Its main objective is to facilitate the provision of free legal support to start-ups while, at the same time, offering law students the opportunity to engage in professional practice in the fast-moving and highly exciting world of technology start-ups.

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ⁱ See the iLINC Report on Links to Learning (2015) for in-depth information on how various student learning needs can be incorporated in start up advice work.