



He who speaks so as to be understood speaks well
—Molière (1622–1673)

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Summary

Negotiations, according to O'Brien (Negotiations for Procurement Professionals. 2nd Edition. Kogan Page Croyden, 2016), are interactions of multiple parties about a specific issue with the aim of all parties to achieve a result. Negotiations are characterized by an envisaged reconciliation of interests and a negotiated settlement (O'Brien, Negotiations for Procurement Professionals. 2nd Edition. Kogan Page Croyden, 2016). This is considered in all existing negotiation concepts. Probably the best known negotiation concept is the Harvard concept, which was developed by Fisher and Ury. In addition to the Harvard concept, the Schranner concept is discussed as a

negotiation model for difficult negotiations. However, the focus of the publication is on the A-6 concept, which was developed by Dr. Marc Helmold and has been successfully applied in practice.

2.1 Gap between Practice and Theory

Negotiation techniques or conflict management in an international context are still not represented as an independent discipline in science and at universities. Few universities or business schools offer negotiation techniques or conflict management in an intercultural context (IUBH 2018; Helmold and Terry 2017). This is due to the fact that not many experts in higher education institutions have conducted international negotiations, so that expertise in negotiations, especially in the international arena, focuses on general behavioural patterns and recommendations. Furthermore, it can be observed that usually larger companies send their employees from the sales, marketing, supplier management or purchasing departments to trainings or they offer trainings internally (IUBH 2018). However, studies show that the topic of global procurement and thus also international negotiations is of central importance for many medium-sized companies (BME 2018).

2.2 Negotiation Concept According to Harvard

According to Obrien, negotiations are interactions of several parties about a concrete issue with the aim of all participants to achieve a result. Negotiations are characterized by an envisaged reconciliation of interests and a negotiated settlement (Obrien 2016). This is reflected in all existing concepts of negotiation. Probably the most commonly taught and referred to negotiation concept is the Harvard concept. It is the method of fact-based negotiation. The principle behind it was formulated by the American legal scholar Fisher in 1981 together with Ury in the book "Getting to Yes". In this book both authors describe how to negotiate constructively and efficiently (Fisher and Ury 1981). Fisher & Ury state that negotiation is a constant part of our lives. In all situations, agreements need to be reached that are appropriate to the complexity of the situation and the various interests involved. The use of power and leverage usually leads to ineffective and unsatisfactory results. According to the Harvard concept, on the other hand, it is better to seek solutions using a constructive negotiation method (Fisher and Ury 1981). A good negotiation outcome is transparent, that is, unambiguous in its interpretation, implementable, that is, the realistic implementation is fair, all parties can accept it. It is expedient, it benefits me and all parties, balancing interests and adding value (Fisher and Ury 1981). In the Harvard concept, negotiation is not only about factual issues and outcomes, but also about the personal relationships between the actors. Similarly, both authors identified that emotional elements such as trust or distrust determine the success or failure of the negotiation (Fisher and Ury 1981). For a long time, there was a dispute between two "schools" of negotiation

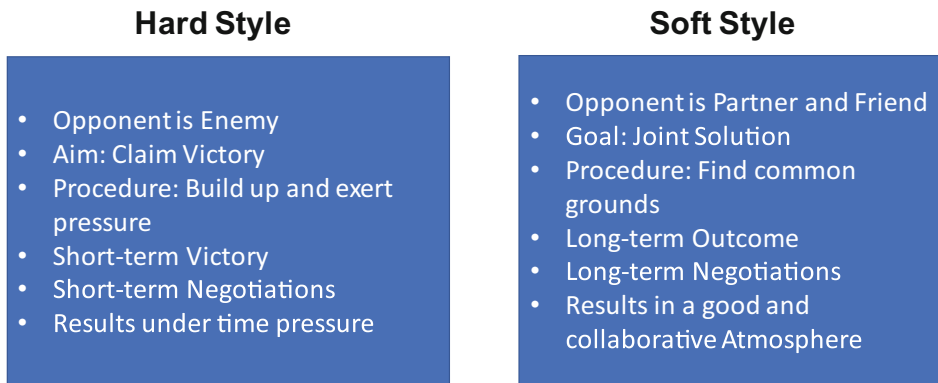


Fig. 2.1 Harvard soft and hard style concept. (Source: adapted from Fisher and Ury (1981))

on how to conduct negotiations successfully: Some believed that one should negotiate “hard,” that is, seek one’s own success on the merits at any cost and “defeat” the other side by any means; others recommended negotiating “soft,” that is, protect one’s good relationship with the other side at all costs and be rather generous on the merits so as not to strain the relationship (Fisher and Ury 1981). Figure 2.1 shows soft and hard negotiation elements (Fisher and Ury 1981).

In response to the controversial opinions on how to negotiate properly, Professors R. Fisher and W. Ury founded the Harvard Negotiation Concept in 1979. Thus, their scientific results have been incorporated into a generally accepted concept. In this scientific project, the professors evaluated numerous negotiations from areas such as business, politics or mediation and examined which success factors lead to a successful negotiation result. Based on this research, the book “Getting to Yes” was published in 1981, in which the basic principles of professional and factual negotiation are explained. This book is still the world’s best-selling book on the subject of negotiation and the concept presented in it (Wermke et al. 2013). The answer of the Harvard negotiation concept to the dispute between “hard” and “soft” negotiation theory is: in order to negotiate successfully, one must negotiate hard on the substance and soft on the relationship level. The Harvard concept, therefore, is a method of cooperative negotiation that is firm on the merits but, for the sake of success, emphasizes mutual respect between the negotiating parties and focuses on their legitimate interests. The Harvard negotiation concept is based on five basic principles (Wermke et al. 2013). Fisher and Ury recommend as a golden rule of the Harvard concept, in addition to careful preparation for the negotiation, not only to identify one’s own interests, but also to set priorities. Table 2.1 shows the basic principles of the Harvard concept.

Which interests are most important, what would also be important but is not absolutely necessary? On the basis of these clear priorities, it will be easier to evaluate proposals and not lose sight of one’s own objectives. Instead of confrontation and the resolution of differences, the Harvard concept is about cooperative and consensual problem solving.

Table 2.1 Five basic principles of the Harvard concept

1	Differentiate between the subject of the negotiation on the one hand and the relationship between the negotiating partners on the other!
2	Do not focus on positions, but on the interests behind them
3	Develop as many options as possible first, evaluate and decide later which option is the optimal one.
4	Use standardized, universally accepted norms and criteria as objective decision-making criteria.
5	Decide for or against a negotiated agreement by comparing it with your best alternative on the basis of the objective decision criteria for it

Source: based on Wermke et al. (2013)

Therefore, care should be taken to ensure that no one entrenches themselves in positions that they cannot relinquish without losing face. One should, for this reason, always present proposals as options, as one of several ways of solving problems, not as ultimate demands (Fisher and Ury 1981). Examples include:

- “Would that be a compromise for you?”
- “Would that be an acceptable negotiated outcome?”
- “I would imagine that a good solution might be for us to . . .”
- “What do you think of that? Do you see any other possibilities?”
- “Does that sound interesting to you?”
- “What possibilities do you see?”
- “What alternatives do you see for a successful negotiation?”
- “What alternative courses of action can you think of?”
- “How can we agree?”

2.3 Schraner’s Negotiation Concept: Negotiations for Difficult Cases

2.3.1 The Approach to Difficult Cases

In Schraner’s concept “Negotiating at the Boundary” a total of seven principles or laws for difficult negotiations are presented (Schraner 2009). According to his website, Matthias Schraner can demonstrably show successful negotiation techniques that can be directly applied in business life. In various articles, Schraner is seen as the expert in negotiating difficult cases (Schraner 2018). Schraner’s website states that in 95% of all cases, clients are able to negotiate themselves, but that in difficult cases, which account for about 5%, his approach can come into play (Schraner 2018). Schraner identifies three different types of actors in conflict situations (Polwin-Plass 2016):

1. Escape types
2. Attack types
3. Mixed types

2.3.1.1 Escape Types

Escape types are described by Schranner as individuals who tend to avoid or not make an appearance in critical situations (Schranner 2018; Polwin-Plass 2016). These usually withdraw in critical situations to avoid conflict. While this prevents conflict, the problem remains unresolved. In international negotiations, especially in Asian countries such as China, Japan or South Korea, one will ostensibly encounter escape types who will avoid open conflict (Helmold and Terry 2017). This will be discussed in detail further on.

2.3.1.2 Types of Attack

In addition to escape types, there are individuals who are confrontational and direct in their approach to negotiations (Schranner 2018; Polwin-Plass 2016). Schranner calls this type "attack type". They go for confrontation and thus solve problems in the short term. They very often destroy relationships in the long term, as they often say rash and emotional things (Schranner 2018; Polwin-Plass 2016). Especially in critical and dangerous negotiation situations, according to Schranner, attack types talk too much and too rashly, so that they very often betray confidential information when not matched (Polwin-Plass 2016). If attack types interculturally meet escape types or people who act rather reserved and passive, this can lead to a strong loss of face and the final failure of the negotiations (Dathe and Helmold 2018). In the context of international negotiations, however, it is advisable to wait and let the negotiating adversary talk for the time being (Helmold 2018).

2.3.1.3 Mixed Types

According to Schranner, there are individuals who display both characteristics of the first two categories (escape and attack types) to varying degrees (Polwin-Plass 2016). These are called "mixed types". Depending on the typification of the negotiating opponent, one's own tactics and strategy must be developed in a targeted manner (Polwin-Plass 2016).

2.3.2 Important Steps in Schranner's Concept

Schranner's concept includes seven important rules and focuses on difficult negotiations (Schranner 2015) Schranner sees the following steps and elements as focal points for negotiations in very difficult cases:

- Never give in
- Do not compromise
- Do not play for time and do not postpone
- Never say no

- Caution with threats
- Help the negotiating partner save face
- If the call is terminated, withdraw the offer
- Setting the anchor
- Clarifying the agenda
- Increase in receivables
- Creating summaries

Schranner likes to compare difficult sales negotiations in his seminars with negotiations from his professional life as a police officer and negotiator in criminal cases and explains what can be learned and applied from them for business life.

Example

For example, during a hostage situation, a man threatened a woman with a gun and announced that he would shoot his victim if the police did not leave the room immediately (Polwin-Plass 2016). This leads to different alternative courses of action according to Schranner. In the first step, there are the following alternative actions based on this real example (Polwin-Plass 2016):

- Give in to the aggressor's wish and leave the room
- Make a threat
- Offer a compromise
- Crack a joke to lighten the situation
- Appeal to the conscience of the hostage-taker
- Say "no"

Negotiations become difficult especially when the negotiating parties are convinced that they are right in one or all aspects of the negotiation (Polwin-Plass 2016). Even a criminal and hostage-taker has a justification for his act based on his conviction, even though his behaviour does not conform to the law (Polwin-Plass 2016). When negotiating with a hostage taker as well as in a sales negotiation, it is important according to Schranner not to be irritated or obviously respond to irritation (Polwin-Plass 2016). Displeasure and anger elicit stress, this stress in turn costs energy and stressed people become active and thus offensive (Polwin-Plass 2016). In this regard, Schranner recommends (Polwin-Plass 2016) to negotiate carefully so as not to jeopardize the conversation. Similarly, his advice is to never give in, especially when strategies and tactics Sect. 4.3 come into play (Polwin-Plass 2016). According to Schranner, giving in is by far the worst tactic in terms of negotiation. Giving in without reciprocation leads to even higher demands and is a sign of weakness (Polwin-Plass 2016; Schranner 2009). Suppose a protracted negotiation is in its final stages, the seller is under quite a bit of pressure, and now the only thing standing in the way of signing is the price. However, the buyer and customer now wants another price reduction in the multi-digit range. An escape type in this situation would try to escape from this situation, as Schranner describes (Polwin-Plass 2016; Schranner 2009). This behavior

poses great risks for future negotiations, because the customer would demand an even higher discount in the next negotiation with the successful strategy of exerting pressure. Therefore, Schranner says: "Concessions are allowed, but only with demands in return. You have to weigh up the demands carefully, summarise them several times and then offer cooperation with consideration. This is how goals are achieved and mutual respect is worked out" (Polwin-Plass 2016).

Especially in price negotiations, you should never compromise. According to Schranner, compromises convey two dangerous risks. Firstly, the buyer would be confirmed in his strategy ("There's still something there.") and secondly, the impression would be created that exerting pressure is a successfully applied strategy ("By exerting pressure, we always succeed.") (Polwin-Plass 2016).

A compromise is a quick way out of a conflict, but it does not lead to a sustainable solution. A conflict must therefore be fought out and: "A negotiation is a conflict. To compromise would mean to respond to the middle of the negotiating partner, not to one's own. This leads to the counterpart setting the bar inherently higher next time. You have to be able to withstand pressure in order to be able to raise your own demands. It is important to emphasize common ground" (Schranner 2009). Schranner therefore recommends making concessions only in return for consideration and not compromising at all (Polwin-Plass 2016; Schranner 2009). Another recommendation involves ending negotiations with staying power and no adjournments (Polwin-Plass 2016; Schranner 2009). Polwin quotes Schranner: "When one plays for time, one hopes to be able to take a more optimal starting position at a later point in time. But if both negotiating partners are playing for time, it becomes problematic, because the possibility of getting into a better position dwindles. So adjourning is no use either, because in the meantime both negotiating partners become even more sure of their case and the next negotiation becomes even more difficult" (Polwin-Plass 2016; Schranner 2009).

Furthermore, the identification of the negotiating partner's room for manoeuvre plays a central role, setting a maximum and a minimum price with a pain threshold. According to Schranner, there are always two prices in price negotiations: the obvious price and the invisible price. The invisible one is significantly more important than the visible one, and the seller must approach it carefully (Polwin-Plass 2016; Schranner 2009).

Power and relationship are two important elements in Schranner's concept of negotiation, who recommends the display of power but considers pressure as a critical tool in negotiations (Polwin-Plass 2016; Schranner 2009). Pressure and counter-pressure lead to escalation and a mere clarification of power relations without a willingness to cooperate (Polwin-Plass 2016; Schranner 2009). Negotiation professionals should therefore avoid statements such as "no" or "rejection" in order to continue to flexibly retain all options (Polwin-Plass 2016; Schranner 2009).

A suitable tactic is the introduction of different demands with different prioritisations (Polwin-Plass 2016; Schranner 2009). The introduction of demands creates room for manoeuvre for one's own negotiating side. Schranner recommends asking questions in the subjunctive to include demands: "For example, could you imagine buying or doing this or that in addition so that we can accommodate you here and there?" (Polwin-Plass 2016;

Table 2.2 Recommendations for action according to Schranner

Negotiate carefully so as not to jeopardise the conversation
Identification of the scope for negotiation
Concessions only with consideration
Never give in, especially when tactics come into play
Avoid rejections and “no’s
increases in own claims
Increase of the demand of the negotiating partner serve the information procurement
Caution with threats
Saving face is a key component
If the call is terminated, withdraw the offer

Source: based on Polwin-Plass (2016) and Schranner (2009)

Schranner 2009) Further, demands should not be communicated through threats (Polwin-Plass 2016; Schranner 2009). Saving face is an integral part of any negotiation, as the negotiating adversary will need support if they make concessions and deviate from their maximum goal (Polwin-Plass 2016; Schranner 2009).

Breaking off a negotiation can also be understood as a tactic, but in this situation one should revoke the concessions made so far (Polwin-Plass 2016; Schranner 2009). This means that when negotiations resume, the original starting point serves as the basis (Polwin-Plass 2016; Schranner 2009). Breaking off negotiations can be useful to buy more time. It is advisable to obtain the termination yourself (Polwin-Plass 2016; Schranner 2009).

Negotiations should always end on a positive note, for example, with comments such as: “We have come a long way” or “Financially, we have not yet been able to reach an agreement, but we have achieved a lot” (Polwin-Plass 2016; Schranner 2009). This is because if the negotiating partner returns to the negotiating table after some time has passed, he or she must explain with a plausible excuse that he or she is re-entering the negotiations (Polwin-Plass 2016; Schranner 2009). Table 2.2 summarizes the recommendations for action of the Schranner negotiation concept, based on (Polwin-Plass 2016; Schranner 2009).

2.4 Negotiation concept A-6 According to Dr. Marc Helmold

Dr. Marc Helmold has held various management positions in the automotive and railway industries since the late 1990s. In these positions, he has conducted negotiations with national and international customers and suppliers in the higher three-digit million range. Projects in the billion euro range were won as a manufacturer of trams, suburban trains, regional trains and express trains. These projects also always involved difficult and usually lengthy negotiations. Since 2016, he has been a professor of business administration, strategic management and supply chain management (SCM). In addition to teaching and



Fig. 2.2 A-6 negotiation concept by Dr Marc Helmold. (Source: own representation Marc Helmold)

research, he advises companies on international and cross-cultural business transactions and complex negotiations. Within this function and due to the deficits and weaknesses of existing negotiation concepts in the intercultural context, he has developed the A-6 negotiation concept (Helmold 2018) Chapter 4.

This concept is interculturally oriented, innovative, up-to-date, sustainable, unique and has already been successfully implemented in various projects. The practical and easy-to-use concept includes six steps from A-1 to A-6, which must be considered in every negotiation to achieve optimal success (Helmold 2018). In addition to its practical application, cross-cultural specifics are also described in Chap. 4, which come into play in international transactions in countries such as the United States of America, China, France, India, or other countries. Although the model is focused on business negotiations, other negotiations, for example, political negotiations, negotiations between private persons, negotiations about alimony, etc., can also be carried out within the framework of these six steps. Last, the A-6 concept is an inherently logical construct, which sequentially consists of six steps that build on each other. Figure 2.2 shows the six steps from analysis to respect and compliance with the agreement. After the detailed analysis, a selection of appropriate strategies and tactics takes place. The basis here is the script or manuscript, which is described in the context of this chapter. The strategies and tactics determine the argumentation and the structure of the negotiations (Eckert and Tarnowski 2017; Schulz 2017; Godeck 2017). Once one has completed these steps, one can move into the actual negotiation. This is where the radius of action is determined. Within the strategy and argumentation, possible counter-arguments of the other side and resistances have been identified as well as tactics to successfully break these resistances without the negotiating partner losing face. As a final step, the shaping of the negotiation outcome and the adherence to the negotiation agreements are crucial (Helmold 2018).

1. Negotiation Title:		
2. Scope	Quality:	Cost:
Delivery:	Technology:	Alpha (others):
3. Analysis of negotiation opponents:		
Roles & responsibilities (alpha, beta, gamma, omega, delta and kappa):		
4. Strategies and tactics:		
Potential strategies and tactics:		
5. Objectives	We:	They:
6. Motives	We:	They:
Argumentation:	Negotiation opponent:	My reaction:
7. Intercultural aspects		

Fig. 2.3 Script/negotiation manuscript (section Annex 2). (Source: own representation Marc Helmold)

The script or negotiation manuscript plays a central role in the A-6 concept as a negotiation tool. The manuscript is the result of the individual steps, whereby the sequence should be seen as dynamic and flexible (not static) (Helmold 2018). Dynamic in this context means being very well prepared and anticipating behavioural patterns of the other side. Dynamism in negotiations equally means being agile and flexible in responding to advances from the negotiating counterparty. Figure 2.3 shows the script/negotiation manuscript as a preparation with significant elements such as key words of the

Table 2.3 Recommendations for action according to Dr. Marc Helmold

Acquiring competence through continuous training in the field of negotiations in an international context. Section 1.2
Systematic planning and structured analysis of key elements such as scope of negotiations, objectives, people and motives. Section 4.2
Consideration of intercultural elements in international negotiations. Section 1.6
Quantification of own objectives and presentation of value. Section 4.2.5
Determination of the negotiating scope with minimum and maximum targets in negotiating categories. (Q-K-L-T plus alpha. Section 4.2.5)
Using non-verbal techniques to achieve negotiation success. Chapter 6
Definition of appropriate strategies and tactics. Section 4.3
Argumentation and negotiation with prioritisation and the A-6 structure. Section 4.1
Use of suitable tools. Chapter 5
Attention to the conclusion of negotiations. Section 4.7
Saving face at all stages of negotiations. Section 4.6.5

Source: based on Helmold (2018)

negotiations, the analysis of the negotiating partners, the possible strategies and tactics and the minimum and maximum targets. The A-6 negotiation concept is described in detail in Chap. 4.

Table 2.3 shows the most important recommendations for action of Dr. Marc Helmold's concept. In addition to systematic preparation and analysis, international specifics are the focus of this model (Helmold 2018). Tools used and proven in practice are integrated in such a way that their implementation is fast and easy (Helmold 2018).

2.5 Differences and Characteristics of the Three Concepts

The three negotiation concepts described have different characteristics and emphases, as Table 2.4 shows. Harvard's concept Sect. 2.2 is basically developed for all types of negotiations, whereas Schraner's Sect. 2.3 focuses on difficult negotiations (Fisher and Ury 1981; Schraner 2009). Dr. Helmold's concept Sect. 2.4, Chap. 4 focuses on negotiations between trading partners in an international context and offers cross-cultural recommendations for action (Helmold and Terry 2016). All three concepts suggest detailed preparation, with Dr. Helmold's concept targeting the scope of the negotiation, motives, roles, and types of people negotiating (Helmold 2018). The preparation can be perceived with the standardized and in practice proven form Fig. 2.3. The Harvard concept recommends a precise preparation with the determination of the best possible alternative (BANTA, Best Alternative to a Negotiated Agreement). Schraner's concept, on the other hand, offers not only a negotiation preparation document, the script, but also a well-founded analysis of the motives and the roles (e.g., decision-maker).

Table 2.4 Comparison and characteristics of the negotiation concepts

	Harvard concept	A-6 concept by Dr. Helmold	Concept according to Schraner
Main focus	Basically all negotiations	Customer-supplier negotiations in an intercultural context	Difficult negotiations
Preparation	Analysis of interests, not positions	Scope analysis consideration of cultural elements, motives and interests. Analysis of persons on the opposite side of the negotiation	Typing of persons on the negotiating counterparty concentration on motifs
Methodology	Focus on interests, not positions Win-Win	Systematic, rationally emotionally applied negotiation. 6-phase model Win without the other person losing face	7 successful steps to negotiation success. Critical negotiations Win
Objective	Consensual outcome, Fair exit	Winning without the negotiating partner losing face	Win
Internationality	No	Important recommendations for action for many countries	Global presence of the Schraner Negotiation Institute
Intercultural recommendations	No	Yes	No
Emotionality	No	Yes, but: Rational emotionality	Yes
Nonverbal communication	No	Yes	Conditionally
Criticism of the model	Fairness not always given different perspectives. International peculiarities not taken into account	Interculturally and internationally successfully applied concept. Concentration on commodity transactions (Business Negotiations).	Focus on difficult negotiations. International peculiarities not taken into account.

Own illustration based on Helmold (2018)

There are key differences in the negotiation methodology of the three concepts presented. Harvard suggests a focus on interests and fact-based negotiations in order to achieve a result that can be seen as a win-win for both parties. Drs. Helmold and Schraner have divergent suggestions from this because often an opposing party in a negotiation only aims to come out of the negotiation as a winner (Helmold and Terry 2017; Schraner

2009). Therefore, emotions can also be used purposefully and rationally to achieve the best possible negotiation outcome. Dr. Helmold's concept further targets international negotiations through the representation of country-specific characteristics (Helmold 2018; Geertz 1973; Helmold et al. 2017).

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