



**University  
of Ferrara**

**Center for Innovation and EU Law  
1<sup>st</sup> Conference on the Law of the Digital Economy**

# **Harmonizing Digital Contract Law**

**The Impact of EU Directives**

**2019/770 and 2019/771**

**and the Regulation of Online Platforms**

**9 and 10 June 2022**

**University of Ferrara**

**Department of Law, Aula Magna**

**Corso Ercole I d'Este 37, Ferrara**

**Scientific Committee:**

**Alberto De Franceschi and Reiner Schulze**

*The conference aims, first, at assessing the impact of the implementation of the EU “Twin Directives” on the supply Digital Content and Digital Services (DCD) and on Sale of Goods (SGD) in the 27 Member States of the European Union. These two directives outline the contours for the harmonization of some of the most important areas of contract law in the age of digitization.*

*The speakers will highlight and in-depth analyse the most relevant effects of the impact of the two directives on the respective Member State. For this purpose, each presentation will devote specific attention to:*

- the systematic implications (e.g. the relationship with the law of obligations and contracts, intellectual property, data protection and environmental sustainability);*
- the influence on the formation of concepts and terms in the national law;*
- the use of the options which the EU legislator left in the discretion of national legislators and to any voluntary extended implementation of the contents of the Directives.*

*Within the outlined framework, each contribution will not be limited to the assessment of the implementing measures on the national legal orders, but rather provide both: evaluate and stimulate a discussion on the potential effects of the above-mentioned Directives on the further development of Member States and EU legislation; and advice for legal practice on how to cope with the changes brought about by the new provisions. Each speaker will therefore focus not only on the application of European rules and corresponding provisions of national law, but also on how to avoid inconsistencies and regulatory deficits via future legislation.*

*Furthermore, the conference will analyze, from a systematic viewpoint:*

- the role of digital content and digital services regulation as building block of the private law harmonization,*
- AI contracting and smart contracts,*
- platforms regulation, with specific regard to the EU Digital Services Act and the EU Digital Markets Act.*

*The last part of the conference will be devoted to the next steps of the EU Digital Single Market Strategy and to the impact on Private Law of the Product Policy Initiatives under the European Green Deal.*

**Thursday, 9 June 2022**

University of Ferrara, Department of Law, Aula Magna, Corso Ercole I d'Este, 37

**08:00** Registration

**09:00** Welcome addresses

*Laura Ramaciotti (Rector of the University of Ferrara)*

**09:10** Scope and Aims of the Conference

*Alberto De Franceschi (University of Ferrara)*

*Reiner Schulze (University of Münster)*

**09:30** I. The Impact of EU Directives 2019/770 and 2019/771

Chair: *Christiane Wendehorst (University of Vienna)*

**Austria**

*Brigitta Zöchling-Jud (University of Vienna)*

**Germany**

*Reiner Schulze (University of Münster)*

**Poland**

*Fryderyk Zoll (Jagiellonian University of Cracow)*

**Hungary**

*Ádám Fuglinszky (Eötvös Loránd University, Budapest)*

**10:30** Discussion

**11:00** Coffee Break

**11:30 II. The Impact of EU Directives 2019/770 and 2019/771**

Chair: *Josef Drexl (Max Planck Institute for Innovation and Competition, Munich)*

**France**

*Jean-Sébastien Borghetti (University Paris-Panthéon-Assas)*

**Luxembourg**

*Elise Poillot (University of Luxembourg)*

**Belgium**

*Evelyne Terryn (Catholic University of Leuven)*

**Netherlands**

*Marco Loos (University of Amsterdam)*

**12:30 Discussion**

**13:00 Lunch**

**14:30 III. The Impact of EU Directives 2019/770 and 2019/771**

Chair: *Hans-Wolfgang Micklitz (European University Institute, Florence)*

**Ireland**

*Geraint Howells (National University of Ireland, Galway)*

**Malta**

*Mireille-Martine Caruana (University of Malta)*

**Denmark**

*Marie-Jull Sørensen (University of Aalborg)*

**Finland**

*Klaus Viitanen (University of Helsinki)*

**Sweden**

*Jori Munukka (University of Stockholm)*

**15:30 Discussion**

**16:00 Coffee Break**

**16:30 IV. The Impact of EU Directives 2019/770 and 2019/771**

Chair: *Beate Gsell (Ludwig Maximilian University of Munich)*

**Slovakia**

*Monika Jurcova (University of Trnava)*

**Czech Republic**

*Rita Simon (Karlova University, Prag)*

**Estonia**

*Karin Sein (University of Tartu)*

**Latvia**

*Kaspars Balodis (University of Latvia)*

**Lithuania**

*Laurynas Didžiulis (University of Vilnius)*

**17:45 Discussion**

**18:15 Interim Conclusions**

**Friday, 10 June 2022**

University of Ferrara, Department of Law, Aula Magna, Corso Ercole I d'Este, 37

**09:00 V. The Impact of EU Directives 2019/770 and 2019/771**

Chair: *Gerald Spindler (University of Göttingen)*

**Slovenia**

*Damjan Možina (University of Ljubljana)*

**Croatia**

*Emilia Mišćenić (University of Rijeka)*

**Romania**

*Juanita Goicovici (Babeş-Bolyai University, Cluj-Napoca)*

**Bulgaria**

*Plamena Markova (European Parliament)*

**10:00 Discussion**

**10:30 Coffee Break**

**11:00 VI. The Impact of EU Directives 2019/770 and 2019/771**

Chair: *Herbert Zech (Humboldt University, Berlin)*

**Greece**

*Zafeiris Tsolakidis (National and Kapodistrian University of Athens)*

**Cyprus**

*Christiana Markou (European University Cyprus)*

## **Spain**

*Ester Arroyo Amayuelas (University of Barcelona)*

## **Portugal**

*Jorge Morais Carvalho (University NOVA of Lisbon)*

## **Italy**

*Alberto De Franceschi (University of Ferrara)*

**12:15 Discussion**

**12:45 Lunch**

**14:00 VII. Reshaping Contracts in the Digital Age**

Chair: *Christoph Busch (University of Osnabrück)*

### **Digital Content Regulation as Building Block of the Private Law Harmonization**

*Hans Christoph Grigoleit (Ludwig Maximilian University of Munich)*

### **The role of Artificial Intelligence in Contract Law**

*Giovanni Sartor (University of Bologna and European University Institute, Florence)*

### **Smart Contracts and Consumer Protection**

*Sjef van Erp (University of Maastricht)*

**15:00 Discussion**

**15:30 VIII. Digital Services and the new Platform Regulation**

Chair: *Maria Rosaria Maugeri (University of Catania)*

### **Some Major Issues of EU Regulation 2019/1150 on promoting fairness and transparency for business users of online intermediation services**

*Friedrich Graf von Westphalen (University of Bielefeld)*

**The EU Digital Services Act and its coordination with the DCD**

*Hans Schulte-Nölke (University of Osnabrück)*

**The EU Digital Markets Act and its Impact on Contract Law**

*Philipp Fabbio (Mediterranea University of Reggio Calabria)*

**16:30 Discussion**

**17:00 Coffee Break**

**17:30 IX. European Digital Contract Law: The Way Forward**

*Chair: Martijn Hesselink (European University Institute, Florence)*

**The Next Steps for the EU Digital Single Market Strategy**

*Jana Ria Bittner (European Commission, Directorate General for Justice and Consumers)*

**Product Policy Initiatives under the European Green Deal and possible Legal Consequences for Private Law**

*Hugo-Maria Schally (European Commission, Directorate General for Environment)*

**18:10 Discussion**

**18:30 Conclusions**

*Reiner Schulze (University of Münster)*

*Alberto De Franceschi (University of Ferrara)*

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Should you wish to attend,

please register by 20 May 2022.

Info and Registration:

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