



# Smart Contracts & Assignment of Claims

Trier, 21-22 March 2019







### **Speakers**

**Stefania Bariatti**, Professor at the University of Milan; Of Counsel, Chiomenti Studio Legale, Milan

Raffaele Battaglini, Battaglini-De Sabato Law Firm, Turin

Gilles Cuniberti, Professor at the University of Luxembourg

**Mateja Durovic**, Lecturer in Contract and Commercial Law, King's College London

 $\textbf{Sjef van Erp}, \ \mathsf{Professor} \ \mathsf{at the \ University} \ \mathsf{of \ Maastricht}; \ \mathsf{Vice-President} \ \mathsf{of the \ European \ Law \ Institute}, \ \mathsf{Vienna}$ 

Michèle Finck, Senior Research Fellow, Max Planck Institute for Innovation and Competition, Munich

Markus Kaulartz, Rechtsanwalt, Senior Associate, CMS Hasche Sigle, Munich

**Mogens Kruse,** Senior Legal Counsel, Corporates & Institutions, Legal, Danske Bank, Copenhagen

Grégory Minne, Partner, Arendt & Medernach, Luxembourg

**Denis Philippe**, Attorney at Law, Philippe & Partners, Professor at the Catholic University of Louvain

Marijn Storm, Associate, Morrison & Foerster LLP, Brussels

lanika Tzankova, Professor at the University of Tilburg

Maria Vilar Badia, Legal and Policy Officer, DG Justice and Consumers, European Commission, Brussels

## **Key topics**

- Smart contracts and (international) contract law
- Consequences of using blockchain technology in the financial sector
- The proposed EU rules on third-party effects of the assignment of claims

Language English

Event number 119D30

Organiser Dr Angelika Fuchs, ERA



With the support of the Erasmus+ programme of the European Union

### Thursday, 21 March 2019 08:30 Arrival and registration of participants 09:00 Opening of the conference Angelika Fuchs I. SMART CONTRACTS, BLOCKCHAIN TECHNOLOGY AND THE LAW Moderator: Sjef van Erp How do smart contracts function? Are they legally binding? 09:05 Michèle Finck 09:40 Discussion 10:00 Evidence of contract, interpretation, performance and remedies Mateja Durovic 10:30 Discussion Coffee break 10:45 Moderator: Michèle Finck Smart contracts and property law issues 11:15 Sjef van Erp 11:45 Discussion 12:00 Blockchain and data protection: how to implement a GDPR compliant blockchain Marijn Storm 12:30 Discussion 13:00 Lunch Moderator: Markus Kaulartz Hands-on experience: using blockchain technology in the financial sector Mogens Kruse 14:30 Discussion and exchange of practices Enforcement of smart contracts, including collective redress 15:00 Ianika Tzankova 15:30 Discussion Coffee break 15:45 Moderator: Marijn Storm Dispute resolution via blockchain: how does it work? 16:15 Arbitration: Markus Kaulartz "Jur 1.0": Raffaele Battaglini 17:15 Discussion

End of first conference day

17:45

19:30

Dinner

# **Objective**

This conference will analyse the most recent developments in contract law which affect businesses across a broad range of industry sectors, including banks and financial institutions.

The first part of the conference will focus on the interplay of modern technology and international contract law, taking into account the current EU legislation in the field.

The second part will discuss the forthcoming EU rules on third-party effects of assignment of claims and its impact on financial industries, such as

### Who should attend?

factoring and securitisation.

Lawyers in private practice and in-house counsel working in the field of banking, finance and securities; banking lawyers; company lawyers; real estate attorneys; lawyers working in the transport sector and for insurance companies; insolvency lawyers.

### You will learn...

- ...how smart contracts function
- ...whether and when smart contracts are legally binding
- ...about interpretation, performance, remedies and property issues
- ...how blockchain technology is used in the financial sector and in the context of the proposed Assignment Regulation:
- ...what is the position in respect of factoring
- ...what are the rules for syndicated loans
- ...which are consequences for collateralisation and securitisation

### Your contact persons



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Tabea Lüth Assistant E-Mail: tlueth@era.int



# Friday, 22 March 2019

# II. THE PROPOSED EU RULES ON THIRD-PARTY EFFECTS OF ASSIGNMENT OF CLAIMS

Moderator: Stefania Bariatti

09:00 Introduction to the proposed "Assignment Regulation"

Maria Vilar Badia

09:30 Discussion

09:45 What is the position in respect of factoring?

Denis Philippe

10:15 Freedom of choice for certain industries? The case of securitisation

and syndicated loans

Gilles Cuniberti

10:45 Coffee break

Moderator: Gilles Cuniberti

11:15 Outright transfer, contractual subrogation and security rights:

a suitable combination?

Grégory Minne

11:45 Habitual residence or COMI? A closer look at assignment in the context

of insolvency

Stefania Bariatti

12:15 Closing debate and exchange of practices

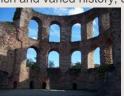
Stefania Bariatti Grégory Minne Denis Philippe Maria Vilar Badia

13:15 End of the conference

For programme updates: **www.era.int**Programme may be subject to amendment.

### **Visit Trier**

Discover Trier, built on centuries of history and surrounded by diverse culture. Experience what inspired the Romans, immerse yourself in the city's rich and varied history, or simply take a



stroll and soak up the atmosphere. Explore some of the main attractions, visit the

Porta Nigra, the Cathedral of Saint Peter and Constantine Basilica to name but a few.

### **Conference dinner**

After a day's intensive exchange, enjoy our conference dinner on 21 March in the city centre.

#### Travel

Shuttle services from the airports of Luxembourg (30 minutes) and Frankfurt Hahn (1 hour) to the ERA Conference Centre can be booked at special rates at: era@finkelgruenstaxi.de

## CPD

ERA's programmes meet the standard requirements for recognition as Continuing Professional Development (CPD). This event corresponds to 10 CPD hours.

### Save the date

Annual Conference on EU Law in the Insurance Sector
Trier, 6-7 June 2019
119R06

Intensive Course on Cross-Border Insolvency Proceedings Across Europe

Trier, 8-10 July 2019 119B04

Insolvency Proceedings Within the EU: Latest Developments
Trier, 7-8 November 2019
119D31

# Registration

# **Smart Contracts & Assignment of Claims**

Trier, 21-22 March / Event Number: 119D30



Europäische Rechtsakademie Academy of European Law Académie de Droit Européen Accademia di Diritto Europeo

Registration

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Evening programme: I shall attend the function on 21 March 2019 (at no extra charge).    Registration feet   Standard   Feet   Standard   Sta	L		Country	Assistant tlueth@era.int
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Registration €870.00 €522.00 €652.50 €652.50 ** Young lawyers & other groups  after 21/02/2019	by $\square$	€ 469.80 € 587.25 € 587.25	Slovakia, Slovenia, Spain, Sweden, United Kingdom), the German states, Scotland and the City of Trier.	from € 114 www.hotel-villa-huegel.de
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