



**University
of Ferrara**

**Center for European Private Law
1st Colloquium 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:

- 1. the systematic implications (e.g. the relationship with the law of obligations and contracts, intellectual property, data protection and environmental sustainability);*
- 2. the influence on the formation of concepts and terms in the national law;*
- 3. 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:

- 1. the role of digital content and digital services regulation as building block of the private law harmonization,*
- 2. AI contracting and smart contracts,*
- 3. 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)

Belgium

Evelyne Terryn (Catholic University of Leuven)

Luxembourg

Elise Poillot (University of Luxembourg)

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: *Gerald Spindler (University of Göttingen)*

Slovakia

Zuzana Adamová (University of Trnava)

Czech Republic

Rita Simon (Czech Academy of Sciences)

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

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

Zafeirios Tsolakidis (National and Kapodistrian University of Athens)

Cyprus

Christiana Markou (European University Cyprus)

Spain

Esther 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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