

Mapping the Future of Law

Una Europa Virtual Seminar

June 17-18, 2021, at 13:00h – 17:00h CET

Registration: <https://forms.office.com/r/FRTF4iBHhJ>

The Future Law Lab of Jagiellonian University in Krakow, Poland, cordially invites you for a two-day short, virtual seminar titled “Mapping the Future of Law.” The event aims to facilitate dialogue between established scholars and junior researchers from the universities making up the Una Europa Alliance.¹ We want to create a space of mutual learning, enabling the participants to share their present work, take a glimpse at the frontier of research in areas other than their own, and allow new ideas to spark and grow.

We can’t predict the future, but we can try to steer it in certain directions. To do so, however, we need a firm understanding of the current trends shaping our societies. Digitalization is one of them. With more spheres of life moving online, the world is getting smaller, yet inequalities are growing. Unprecedented amounts of data are generated, leading to both good and malicious uses of the new technologies. As certain old centers of power wither, new ones emerge. The law plays a role in causing these transformations and has a role to play in making sure that the weakest among us are not harmed while the benefits are justly shared.

All these rapid socio-technological changes affect legal scholarship. On the one hand, new kinds of questions need answering. On the other, new methods of addressing them become available. And each one of us is a participant-observer in these changes.

Agenda

Day 1 (Thursday, June 17, 2021)

13:00 – 13:10	Welcome and introductions
<i>Session 1</i> 13:10 – 14:20	<i>Crafting digital transparency: Implementing legal values into algorithmic design</i> by Riikka Koulu (Helsinki) <i>The COMPAS(S) of fairness in automated predictions and decisions</i> by Francesca Lagioia (Bologna, EUI) & Giovanni Sartor (Bologna, EUI) Moderator: Przemysław Pałka (Jagiellonian)
14:20 – 14:30	<i>Break</i>

¹ See <https://www.una-europa.eu/>. Universities allied in Una Europa include: the Free University of Berlin, University of Bologna, University of Edinburgh, University of Helsinki, Jagiellonian University in Krakow, KU Leuven, Complutense University of Madrid, and University of Paris 1 Pantheon-Sorbonne.

<p><i>Session 2</i> 14:30 – 15:40</p>	<p><i>How AI Technology Challenges Some Basic Notions of Trademark Law</i> by Marie-Christine Janssens (KU Leuven) <i>Artificial Copyright Law</i> by Ewa Laskowska-Litak (Jagiellonian) Moderator: Tomasz Zygmunt (Jagiellonian)</p>
<p>15:40 – 15:50</p>	<p><i>Break</i></p>
<p><i>Session 3</i> 15:50 – 17:00</p>	<p><i>Giving consumers too many choices: a false good idea? Lab experiment applied to water and electricity tariffs</i> by Carine Staropoli (Paris 1, PSE) <i>The measuring of the law</i> by Hans-W. Micklitz (Helsinki, EUI) Moderator: Katarzyna Południak-Gierz (Jagiellonian)</p>
<p><u>Day 2 (Friday, June 18, 2021)</u></p>	
<p><i>Session 4</i> 13:00 – 14:10</p>	<p><i>Can Lawyers Estimate the Probability of Legal Outcomes?</i> by Andreas Engert (Freie Berlin) <i>Creative Informatics and Legal Automation: Classical Enemies, Future Friends</i> by Burkhard Schafer (Edinburgh) Moderator: Ewa Laskowska-Litak (Jagiellonian)</p>
<p>14:10 – 14:20</p>	<p><i>Break</i></p>
<p><i>Session 5</i> 14:20 – 15:30</p>	<p><i>Legal research on ICT standards, and why it matters</i> by Olia Kanevskaia (KU Leuven) <i>The world of fifty (interoperable) facebook</i> by Przemysław Pałka (Jagiellonian) Bohdan Widła (Jagiellonian)</p>
<p>15:30 – 15:40</p>	<p><i>Break</i></p>
<p><i>Session 6</i> 15:40 – 16:50</p>	<p><i>Algorithmic Discrimination: Exploring the EU Equality Law Toolbox</i> by Raphaële Xenidis (Edinburgh, Copenhagen) <i>Towards regulating liability for AI-related harm in the EU</i> by Beátrice Schütte (Helsinki) Moderator: Przemysław Pałka (Jagiellonian)</p>
<p>16:50 – 17:00</p>	<p>Concluding remarks</p>

Speakers

Prof. Andreas Engert is a professor of law at Freie Universität Berlin, where he holds a chair for private law, commercial, corporate and financial markets law and foundations of law. He is a research member of the European Corporate Governance Institute (ECGI) and the co-founder of the Freie Universität Empirical Legal Research Center (FUELS). Professor Engert received his first state exam in law from the University of Tübingen in Germany (1997), his professional qualification in Germany from the Higher Regional Court of Stuttgart (second state exam, 1999), an LL.M. degree from the University of Chicago (2000), and his doctorate from the University of Munich (2003). The University of Munich awarded him the habilitation (qualification for professorship) in 2008 based on a monograph about investment fund law. In 2010, Andreas Engert he was appointed professor of law at the University of Cologne. He subsequently taught at the University of Mannheim from 2010 before joining the Department of Law at Freie Universität Berlin in 2019. Professor Engert's research interests are in contract law, corporation law and financial markets regulation, all with a special emphasis on economic and empirical perspectives. He has written extensively on corporate finance law, contract law, investment fund regulation and law and social norms, among other topics. Website: <http://engert.info> SSRN author page: <http://ssrn.com/author=89868>

Prof. Marie-Christine Janssens is full Professor of Intellectual Property Law at the KU Leuven where she teaches various courses at the law faculty both at graduate and postgraduate level, including inter alia specialized courses on Trademark Law. She is Head of the research unit CiTiP (Centre for IP & IT law) with a team of over 80 researchers specialized in legal and ethical aspects of Information Technology and Intellectual Property. Since 2006 she is also President of the Belgian Council for Intellectual Property Rights, section Copyright and Neighbouring Rights (Ministry of Economic Affairs).

Dr. Olia Kanevskaia is a postdoctoral researcher at the KU Leuven Center for IT and IP Law and an Emile Noël Global Fellow at NYU School of Law. She holds a PhD from Tilburg University. Previously, Olia worked as a researcher and lecturer at Tilburg Law and Economics Center and was a visiting fellow at the Northwestern Pritzker School of Law and was a visiting researcher at the Technical University of Berlin, as well as an exchange student at Vrije Universiteit van Brussel. Prior to joining academia, Olia has worked for a multinational company as well as European agencies and the WTO.

Dr. Prof. Riikka Koulu is the Assistant Professor (Social and Legal Implications of AI) at the Faculties of Social Sciences and Law, University of Helsinki, Finland. Since 2016, she also leads the University of Helsinki Legal Tech Lab, an interdisciplinary research hub that examines the intersections of law, technology, and society. She holds several positions inside and outside of academia, e.g. the chairperson of the Finnish Data Protection Ombudsman's Expert Board; member of the Ethical Advisory Board of the Finnish Centre for Artificial Intelligence (FCAI); and associated researcher at the Alexander von Humboldt Institute for Internet and Society HIIG (Berlin). Her current research interests include automation of legal practices, AI ethics, policy and regulation, and procedural perspectives to technological design.

Dr. Francesca Lagioia is Senior Research Fellow at the European University Institute (EUI), Florence (Italy). She is Adjunct Professor in Legal Informatics and AI and Law and Internet Law and Society, at the University of Bologna, Department of Legal Studies. In November 2020 she obtained the Italian National Scientific Qualification as Associate Professor. Her research interests include artificial intelligence and law, normative agents, legal theory, computable models of legal reasoning and knowledge, machine learning methods as applied to the legal domain, computer and Internet law, privacy and data protection, consumer law, AI accountability, fairness, discrimination and transparency, and AI explainability.

Dr. Ewa Laskowska-Litak, LL.M. (Heidelberg) graduated from the Jagiellonian University in Kraków (Faculty of Law, Intellectual Property Law Institute, supervised by prof. dr hab. Ryszard Markiewicz) and Ruprecht-Karls-Universität in Heidelberg in Germany (LL.M. postgraduate studies at the Faculty of Law, German and European Trade and Corporate Law, supervised by Prof. Dr. Dr. h.c. mult. Peter-Christian Müller-Graff). In 2018 she was post-doc research visitor at the Cambridge University, the Centre of Intellectual Property and Information Law. She was also an active member of the ATRIP and ALAI organisations and executive member of the organising committee of the first European IP Law Summer School. As a member of organising committee of the Trialog Seminar, an international workshop, between universities in Germany (Heidelberg, Mainz), Poland (Jagiellonian University) and Ukraine (Mohyla Akademie in Kiev), she attended several international conferences and summer schools. In her interests are copyright law, European law and the impact of modern technologies on intellectual property law. She also authored several papers in regard to the German law, harmonization of the intellectual property law and copyright law. She speaks fluently both English and German.

Prof. Hans-W. Micklitz is a Visiting Professor at Helsinki Faculty of Law, and a Part-time Professor at Robert Schuman Centre for Advanced Studies at the European University Institute in Florence, Italy. Studies of law and sociology in Mainz, Lausanne/Geneva (Switzerland), Giessen and Hamburg. Consultancies for OECD in Paris, UNEP Geneva Switzerland/Nairobi Kenya and CI (Consumers International) Den Haag Netherlands/Penang Malaysia. Study visits at the University of Michigan, Ann Arbor, Jean Monnet Fellow at the European University Institute Florence, Italy, visiting professor at the Somerville College at the University of Oxford, co-founder of the Centre of Excellence at the University of Helsinki. Holder of an ERC Grant 2011-2016 on European Regulatory Private Law. Consultancies for ministries in Austria, Germany, the UK, the European Commission, OECD, UNEP, GIZ, non-governmental organisations. Main field of activities: European Law, European Private and Consumer Law.

Dr. Przemysław Palka is an Assistant Professor at the Future Law Lab, Jagiellonian Law, serving as the PI for the project “Private Law of Data: Concepts, Practices, Principles & Politics” (Norway Grants), and an Affiliated Fellow at the Information Society Project at Yale Law School. In 2018-2020 he was Yale’s Fellow in Private Law. Holds a PhD and an LL.M. from the European University Institute in Florence, Italy. His research interests encompass the intersections of law, society, philosophy and new technologies. In particular, he’s interested in private law, consumer law, data law, artificial intelligence, and law automation. More at: <https://przemyslaw.technology/>

Prof. Giovanni Sartor is professor in Legal Informatics at the University of Bologna and professor in Legal informatics and Legal Theory at the European University Institute of Florence. His research interests include artificial intelligence legal theory, early modern legal philosophy, logic, argumentation theory, logic programming, multiagent systems, computer and Internet law, data protection, law and technology.

Prof. Burkhard Schafer studied Theory of Science, Logic, Theoretical Linguistics, Philosophy and Law at the Universities of Mainz, Munich, Florence and Lancaster. He has been member of the School of Law of the University of Edinburgh since 1996, since 2010 as Chair of Computational Legal Theory. He is co-founder and currently Director of the SCRIPT Centre for IT and IP law, and Co-I in several research projects including Creative Informatics, the large R&D project for the Creative Industries and the Trusted Autonomous Systems Network. He is also member of the at a Ethics Group of the Alan Turing Institute and member of the expert panel of AI4People, the Scottish National Expert Group on Digital Ethics and the Legal Technologist Accreditation Board of the Law Society of Scotland.

Dr. Béatrice Schütte is a postdoctoral researcher at the University of Helsinki on the project ‘Damages liability for AI-related harm, a European perspective’. The project is funded by the Academy of Finland and led by assistant professor Dr. Katri Havu. The project is further affiliated to the University of Helsinki’s Legal Tech Lab. Béatrice holds a PhD degree in law from the University of Aarhus, Denmark, which was awarded for her thesis ‘Employer’s liability – quo vadis? A comparative analysis of national laws and the proposal of a normative European standard’. Her research interests are related to civil liability law and comparative law, but she has also expertise in private international law, EU law, environmental law and maritime law. In the course of her current research, she delves into the regulatory efforts undertaken by the EU institutions regarding AI and civil liability but also considers the applicability of existing liability rules with regard to emerging technologies.

Prof. Carine Staropoli is Associate Professor at the University Paris 1 Panthéon-Sorbonne and Professor at the Paris School of Economics. Her research interests lie in the field of Empirical Industrial Organization and Economics of Contracts applied to electricity sector, sustainable mobility and smart cities. She has been a deputy director of Chaire Economie des Partenariats Public-Privé in IAE Paris. In 2014-2016 she was a deputy director of Centre d’économie de la Sorbonne. Since 2010 a member of the board of Association Française des Economistes de l’Energie (FAEE).

Dr. Raphaële Xenidis is currently a Marie Curie Fellow at iCourts at the Faculty of Law of the University of Copenhagen and a lecturer in European Union Law at the University of Edinburgh Law School. Her current research project entitled ‘PROFILE’ investigates the conceptual, doctrinal and procedural frictions that arise between EU equality law and the increasing use of algorithmic profiling techniques in numerous areas of life such as work, health and education. Raphaële obtained her Ph.D. at the Department of Law of the European University Institute where she wrote her dissertation on the question of intersectional and multiple discrimination in EU and ECHR law.