

The 7th Petar Šarčević Conference

Consumer Protection in Transition: Digital Transformation and Better Enforcement

23 - 25 September 2021, Opatija, Croatia | **ONLINE/ONSITE**

Organizers: **University of Rijeka, Faculty of Law**
Hanns Seidel Foundation
Croatian Comparative Law Association

DAY 1: Thursday, 23 September 2021

13:00-13:30 **Registration**

13:30-14:00 **Opening speeches**

Vesna Crnić-Grotić

Dean of the Faculty of Law, University of Rijeka, Croatia

Vesna Tomljenović

President of the Croatian Comparative Law Association

Klaus Fiesinger

Regional Director for South-East Europe, Hanns Seidel Foundation

Aleksandra Markić Boban

Head of the Project Office Zagreb, Hanns Seidel Foundation

Nataša Mikuš Žigman

State Secretary of the Ministry of Economy and Sustainable Development
of the Republic of Croatia

Session 1 (in Croatian)

Chair: Jakša Barbić

Transition of Croatian Consumer Law & Enforcement

14:00-14:20 **Goranka Barać - Ručević**

Judge at the Supreme Court of the Republic of Croatia

"Ex officio Control of Unfair Contract Terms in the Croatian Case Law"

14:20-14:40 **Marina Veljak**

Judge at the High Commercial Court of the Republic of Croatia

"The First Croatian Collective Redress Proceeding: Lessons and Challenges"

14:40-15:00 **Paula Poretti**

Associate Professor & Vice-Dean, Faculty of Law,

Josip Juraj Strossmayer University of Osijek, Croatia

"Towards New Regulation of Collective Redress Mechanism in Croatia"

15:00-15:20 **Iva Ivanišević Mostovac**

Judge at the Municipal Court in Rijeka

"Consumers, by Definition, Include Us All: Humans and their Human Rights"

15:20-15:40 **Short Break**

Session 2 (in Croatian)

Chair: Vlatka Butorac Malnar

- 15:40-16:00 **Silvija Petrić**
Professor (ret.), Faculty of Law, University of Split, Croatia
"Croatian Regulation of Conformity of Goods: Defective or Effective?"
- 16:00-16:20 **Hrvoje Pauković**
Director of the Croatian Insurance Bureau
"Rethinking Consumer Protection in Insurance Sector"
- 16:20-16:40 **Ana Pošćić**
Associate Professor, University of Rijeka, Faculty of Law, Croatia
"The 'Lucky Consumer' in the Games of Fortune"
- 16:40-17:00 **Danijela Vrbljanac**
Assistant Professor, University of Rijeka, Faculty of Law, Croatia
"International Jurisdiction for Consumer Disputes: A Cloak of Protection"
- 17:00-17:30 **Question and discussion time**

DAY 2: Friday, 24 September 2021

Session 3

Chair: Emilia Mišćenić
Challenges to Consumer Law in Digital Age

- 08:30-09:00 **Registration**
- Keynote Speakers**
- 09:00-09:30 **Geraint Howells**
Professor & Executive Dean, College of Business, Public Policy and Law, National University of Galway, Ireland
"Online Platforms and Consumer Protection"
- 09:30-10:00 **Hans-Wolfgang Micklitz**
Professor, University of Helsinki, Finland & European University Institute, Florence, Italy
"Consumer Empowerment through Legal Tech"
- 10:00-10:30 **Jürgen Basedow**
Director emeritus, Max Planck Institute for Comparative and International Private Law, Hamburg, Germany & former chairman of the German Monopolies Commission
"Towards a Digital Markets Act of the European Union"
- 10:30-11:00 **Christian Twigg-Flesner**
Professor, Faculty of Social Sciences, University of Warwick, United Kingdom
"Options for New Liability Systems for Digital Consumer Transactions - Legal Disruption or Timely Modernisation?"
- 11:00-11:20 **Short Break**

Session 4

Chair: Ivana Kunda

11:20-11:40 **Keynote Speaker**

Pascal Pichonnaz

Professor, Faculty of Law, University of Fribourg, Fribourg, Switzerland &
Vice-President & Elected President of the European Law Institute, Vienna, Austria
"AI to Adjudicate Small Claims for Consumers: Dream or Nightmare?"

11:40-12:00 **Mateja Đurović**

Reader in Contract and Commercial Law, King's College London,
United Kingdom
"The Relevance and Regulation of the Online Reviews and the Digital Market:
The Case of New European Directive (EU) 2019/2161"

12:00-12:20 **Jacolie Barnard**

Professor, Faculty of Law, University of Pretoria, South Africa

Emilia Mišćenić

Associate Professor, University of Rijeka, Faculty of Law, Croatia
"The Achievement of Sustainable Development for Consumers in the Digital
Market: Fact or Fiction?"

12:20-13:00 **Question and discussion time**

13:00-14:00 **Lunch**

Session 5

Chair: Damjan Možina

14:00-14:20 **Elise Poillot**

Professor, Faculty of Law, University of Luxembourg, Luxembourg
"Who's Who? Desperately Seeking For a Definition of Traders and Consumers in
Digital Surrounding"

14:20-14:40 **Martin Schmidt-Kessel**

Professor, Faculty of Law, University of Bayreuth, Germany
"Datification in Consumer Contractual Relations"

14:40-15:00 **Ivana Kunda**

Professor, University of Rijeka, Faculty of Law, Croatia
"Consumer Personal Data Rights Online: Is the Queen's Gambit the Right
Opening?"

15:00-15:20 **Vlatka Butorac Malnar**

Associate Professor, University of Rijeka, Faculty of Law, Croatia
"The Role of Digital Platforms as Gateways for Businesses and Consumers"

15:20-16:00 **Question and discussion time**

DAY 3: Saturday, 25 September 2021

Session 6

Chair: Paula Poretti

Better Enforcement of Consumer Law

08:30-09:00 **Registration**

09:00-09:30 **Keynote Speaker**

Vesna Tomljenović

Judge at the General Court, Court of Justice of the European Union, Luxembourg

Nicola Chesaites

Partner at Quinn Emanuel Urquhart & Sullivan, LLP

"EU Collective Redress at the Crossroad"

09:30-09:50 **Marko Ilešić**

Judge at the Court of Justice of the European Union, Luxembourg

"Intellectual Property Rights and Consumers' Interests in Digital Surroundings"

09:50-10:10 **Maciej Szpunar**

First Advocate General at the Court of Justice of the European Union, Luxembourg

"The Idea of Consent in the EU Data Protection Law"

10:10-11:00 **Short Break**

Session 7

Chair: Emilia Mišćenić

11:00-11:20 **Richard Alderman**

Professor Emeritus, University of Houston Law Centre, United States

"The Big Problem with Enforcement of Consumer Rights - Arbitration"

11:20-11:40 **Eleni Kaprou**

Lecturer in Commercial Law, Brunel Law School London, United Kingdom

"Better Enforcement of Consumer Rights"

11:40-12:00 **Damjan Možina**

Professor, Faculty of Law, University of Ljubljana, Slovenia

"Enforcement of Consumer Rights in Crisis"

12:00-12:30 **Question and discussion time**

12:30-13:00 **Emilia Mišćenić**

Closing Address

