Objective

On 9 December 2015 the European Commission published two proposals for Directives covering harmonised rules for the supply of digital content and mandatory contract rights for online and distance sales of goods in order to fully unleash the potential of e-commerce in the Digital Single Market.

This conference will offer a platform particularly for legal practitioners to debate the central issues of these highly controversial proposals at an early stage in the legislative process.

Key topics:
• Scope of the proposed Directives
• How to define conformity?
• Remedies and exercise of remedies
• Specifics for the supply of digital content
• Looking ahead: High standards or low costs for online trade?

Who should attend?
Lawyers practicing in the field of cross-border sales and e-commerce, in-house counsel, notaries, ministry officials, judges, academics, representatives of consumer and business organisations as well as other stakeholders.

Speakers

Razvan Antemir, Director Government Affairs, EMOTA, Brussels

Professor Hugh Beale QC, University of Warwick; Harris Manchester College, University of Oxford

Samuel Laurinkari, Senior Manager, EU Government Relations, eBay Inc., Brussels

Professor Marco B.M. Loos, Centre for the Study of European Contract Law, University of Amsterdam

Pedro Oliveira, Senior Adviser, Legal Affairs Department, BUSINESSEUROPE, Brussels

Ursula Pachl, Deputy Director General, BEUC – The European Consumer Organisation, Brussels

Professor Dirk Staudenmayer, Head of Unit – Contract Law, DG Justice, European Commission, Brussels

Professor Matthias E. Storme, Institute for Commercial and Insolvency Law, KU Leuven

Axel Voss MEP, Rapporteur, JURI Committee, European Parliament, Brussels / Strasbourg

Diana Wallis, President of the European Law Institute, Vienna

Professor Friedrich Graf von Westphalen, Rechtsanwalt, Friedrich Graf von Westphalen & Partner, Cologne
Thursday, 18 February 2016

**09:30** Arrival and registration of participants

Welcome coffee

**10:00** Welcome and introduction

*Angelika Fuchs*

Chair: *Hugh Beale*

**10:05** Keynote: Digital contract package

- European Commission: *Dirk Staudenmayer*
- European Parliament: *Axel Voss*

**10:45** Discussion

**11:00** Scope of the proposed Directives

- Personal scope: B2C only?
- Omni-channel distribution: online, offline and distance sales
- Broad definition of digital content, storage of data and social media
- Digital content products in exchange for personal data

*Matthias Storme*

**12:00** Obligations under the digital contract and conformity of the product

- How to define conformity?
- Contract terms
- Statutory criteria

*Friedrich Graf von Westphalen*

**12:20** Discussion

**12:30** Remedies and exercise of remedies

- Choice of remedies
- Specific remedies for purchase of digital content
- Burden of proof and time limits
- Effective enforcement and dispute resolution, including ODR

*Hugh Beale*

**13:00** Discussion

**13:15** Lunch

**14:00** Specific issues for the supply of digital content, inter alia

- Termination of long term contracts
- Modification of contract
- Updates and resale of digital content
- 3D Printing

*Marco Loos*

**14:20** Discussion

**14:30** **ROUND TABLE:**

High standards or low costs for online trade? Implications for business and consumers

- Razvan Antemir
- Samuel Laurinkari
- Pedro Oliveira
- Ursula Pachl

**15:00** Discussion

**15:30** Concluding remarks and open issues

*Diana Wallis*

**15:45** End of seminar

Programme may be subject to amendment.
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