

Smart Contracts & Assignment of Claims

Trier, 21-22 March 2019

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GRADE**
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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

Sjef van Erp, Professor at the University of Maastricht; Vice-President of the European Law Institute, 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

Ianika 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*

09:05 **How do smart contracts function? Are they legally binding?**
Michèle Finck

09:40 Discussion

10:00 **Evidence of contract, interpretation, performance and remedies**
Mateja Durovic

10:30 Discussion

10:45 Coffee break

Moderator: *Michèle Finck*

11:15 **Smart contracts and property law issues**
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*

14:00 **Hands-on experience: using blockchain technology in the financial sector**
Mogens Kruse

14:30 Discussion and exchange of practices

15:00 **Enforcement of smart contracts, including collective redress**
Ianika Tzankova

15:30 Discussion

15:45 Coffee break

Moderator: *Marijn Storm*

16:15 **Dispute resolution via blockchain: how does it work?**

- Arbitration: *Markus Kaulartz*
- "Jur 1.0": *Raffaele Battaglini*

17:15 Discussion

17:45 End of first conference day

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 factoring and securitisation.

Who should attend?

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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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@finkelgruens-taxi.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

Fax: +49 (0) 651 93737-773
E-mail: info@era.int

Online registration:
www.era.int/?128372&en

Postal address:
ERA
Postfach 1640
D-54206 Trier

Location

ERA Conference Centre,
Metzer Allee 4, Trier

Language

English

Contact Person

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Evening programme: I shall attend the function on 21 March 2019 (at no extra charge).

Registration fee

Fee	Standard	EU & ERA patrons*	Young lawyers & other groups**	Discount Voucher Code
Registration by 21/02/2019	€ 783.00 <input type="checkbox"/>	€ 469.80 <input type="checkbox"/>	€ 587.25 <input type="checkbox"/>	€ 587.25 <input type="checkbox"/>
Registration after 21/02/2019	€ 870.00 <input type="checkbox"/>	€ 522.00 <input type="checkbox"/>	€ 652.50 <input type="checkbox"/>	€ 652.50 <input type="checkbox"/>

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- Fellows of the European Law Institute

** Young lawyers & other groups

- For young lawyers up to 30 years of age (important: the participant must provide a copy or details of his or her passport or identity card on registration);
- Full-time staff of universities or comparable academic institutions;
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