

PUBLICATIONS

January 2020

Monographs and Studies:

1. Interaction and Participation – Dimensions of Systemic Binding within Contract Law [“Interaktion und Partizipation – Dimensionen systemischer Bindung im Vertragsrecht”], 2019, Manuscript XXVI and 442 pp. (Habilitation Thesis, University of Freiburg, Winter Semester 2019/20)
2. Obligations for Social Networks! Freedom of Speech in Danger? [“Soziale Netzwerke in der Pflicht! Meinungsfreiheit in Gefahr?”], Study conducted for the Konrad-Adenauer-Stiftung, 2018, 14 pp., <https://www.kas.de/analysen-und-argumente/detail/-/content/soziale-netzwerke-in-der-pflicht-meinungsfreiheit-in-gefahr-> (with Boris P. Paal)
3. Federal Supreme Court Case Law for the State Examination: Private Law [“Höchstrichterliche Rechtsprechung in der Fallbearbeitung – Zivilrecht”], Heidelberg 2018, 189 pp.

Reviews by: Höhne, Die Rezensenten (October 2018), <http://dierezensenten.blogspot.com/>; Späth, Jura Rezensionen (February 2019), <https://jura-rezensionen.blogspot.com/>

4. Big Data as an Asset – Data and Competition Law [“Big Data as an Asset – Daten und Kartellrecht”], Study conducted for the interdisciplinary research cluster ‘Assessing Big Data’ (sponsored by the Federal Ministry of Education and Research), 2018, 101 pp., http://www.abida.de/sites/default/files/Gutachten_ABIDA_Big_Data_as_an_Asset.pdf (with Boris P. Paal)
5. Enforcement of Copyrights and the Internet [“Urheberrechtsdurchsetzung und Internet”], Baden-Baden 2011, 390 pp. (Doctoral Thesis, University of Freiburg, Summer Semester 2011)

Prize for “outstanding doctoral thesis 2012” awarded by the Dr. Georg F. Rössler-Trust of the Association of Federal Court of Justice Attorneys

Merit Awards to enable the publication by the German Association for the Protection of Intellectual Property (GRUR) and by the Freiburg Academic Society

Reviews by: Rehbinder, Copyright and Media Law Review (UFITA) 2013/I, pp. 261 – 262; Ernst, Intellectual Property Law Journal (ZGE) 2012, pp. 475 – 479; Hoeren, Multimedia and Law Online Journal (MMR-aktuell) 2012, 329298; Arbeitsgemeinschaft Privater Rundfunk, APR-Newsletter 2012, <http://www.privatfunk.de>

Edited Books:

6. Immaterial Goods and Digitization – Young Scholars’ Intellectual Property and Media Law Conference [“Immaterialgüter und Digitalisierung – Junge Wissenschaft zum Gewerblichen Rechtsschutz, Urheber- und Medienrecht”], Baden-Baden 2017, 275 pp. (with Andreas Sattler)

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Reviews by: Peintinger, Journal for Copyright and Media Law (ZUM) 2018, p. 400; Arbeitsgemeinschaft Privater Rundfunk, Literaturhinweise, <http://www.privatfunk.de>

Book contributions:

7. Book Price Fixing Act [“Buchpreisbindungsgesetz”], in: Gersdorf, Hubertus/Paal, Boris P. (eds.), Beck Online Commentary on Information and Media Law [“Beck’scher Online Kommentar Informations- und Medienrecht”], Munich, as of 26th ed. – May 2020, in preparation
8. §§ 7, 8 and 10 German Telemedia Act [“§§ 7, 8 und 10 Telemediengesetz”], in: Gersdorf, Hubertus/Paal, Boris P. (eds.), Beck Online Commentary on Information and Media Law [“Beck’scher Online Kommentar Informations- und Medienrecht”], Munich, as of 26th ed. – May 2020, in preparation
9. Robo Advice and Automated Individual Decision-making [“Robo Advice und automatisierte Entscheidungen im Einzelfall”], in: Linardatos, Dimitrios (ed.), Legal Handbook Robo Advice – Automated Financial and Insurance Services [“Rechtshandbuch Robo Advice – Automatisierte Finanz- und Versicherungsdienste”], 2020 (ca. 11 pp.), forthcoming (with Lea Katharina Kumkar)
10. Artificial Intelligence and Competition Law, in: Wischmeyer, Thomas/Rademacher, Timo (eds.), Regulating Artificial Intelligence, Berlin Heidelberg 2020, pp. 361-388 (Translation of 21.)

11. Data Protection and Media [“Datenschutz in Presse und anderen Medien”], in: Specht, Louisa/Mantz, Reto (eds.), Handbook European and German Data Protection Law [“Handbuch Europäisches und deutsches Datenschutzrecht”], Munich 2019, pp. 530-558
12. a) §§ 32-33 Federal Data Protection Act – Information Duties [“§§ 32-33 BDSG – Informationspflichten”], in: Paal, Boris P./Pauly, Daniel (eds.), General Data Protection Regulation / Federal Data Protection Act – Commentary [“DS-GVO / BDSG – Kommentar”], 2nd ed., Munich 2018, pp. 1016-1027
 b) §§ 32-33 Federal Data Protection Act – Information Duties [“§§ 32-33 BDSG – Informationspflichten”], in: Paal, Boris P./Pauly, Daniel (eds.), General Data Protection Regulation / Federal Data Protection Act – Commentary [“DS-GVO / BDSG – Kommentar”], 2nd ed., Munich 2020, in preparation
13. a) Art. 12-14 General Data Protection Regulation – Transparency, Information Duties [“Art. 12-14 DS-GVO – Transparenz, Informationspflichten”], in: Paal, Boris P./Pauly, Daniel (eds.), General Data Protection Regulation / Federal Data Protection Act – Commentary [“DS-GVO / BDSG – Kommentar”], 2nd ed., Munich 2018, pp. 153-203 (with Boris P. Paal)
 b) Art. 12-14 General Data Protection Regulation – Transparency, Information Duties [“Art. 12-14 DS-GVO – Transparenz, Informationspflichten”], in: Paal, Boris P./Pauly, Daniel (eds.), General Data Protection Regulation / Federal Data Protection Act – Commentary [“DS-GVO / BDSG – Kommentar”], 3rd ed., Munich 2020, in preparation (with Boris P. Paal)
14. The Right to Be Forgotten in the General Data Protection Regulation [“Das Recht auf Vergessen(werden) in der Datenschutz-Grundverordnung”], in: Becker, Maximilian et. al. (eds.), Media Law and Media Turnarounds [“Medienrecht im Medienumbruch”], Baden-Baden 2017, pp. 245-258
15. § 30 German Cartel Act – Press [“§ 30 GWB – Presse”], in: Gersdorf, Hubertus/Paal, Boris P. (eds.), Beck Online Commentary on Information and Media Law [“Beck’scher Online Kommentar Informations- und Medienrecht”], Munich 2013 et seq. (including quarterly updates, recently 26th ed. – November 2019)
16. § 30 German Cartel Act – Price fixing for newspapers and magazines [“§ 30 GWB – Preisbindung bei Zeitungen und Zeitschriften”], in: Gersdorf, Hubertus/Paal, Boris P. (eds.), Commentary on Information and Media Law [“Informations- und Medienrecht – Kommentar”], Munich 2014, pp. 1323-1338
17. Information Duties in Contractual Networks [“Informationspflichten in Vertragsnetzwerken”], in: Aichberger-Beig, Daphne et al. (eds.), Yearbook of the German Association of Young Private Law Scholars 2010, Stuttgart 2011, pp. 285-301

Journal articles:

18. Competition of Data Protection Laws – re the Reception of the General Data Protection Regulation [“Wettbewerb der Datenschutzrechtsordnungen? – zur Rezeption der Datenschutz-Grundverordnung”] (Manuscript finished, ca. 35 pp.)
19. Personalized Offers – Regulatory Need for the Digital Economy [“Die personalisierte Vertragsanbahnung – Regulierungsbedarf für den digitalen Massenverkehr”], Archiv für die civilistische Praxis (AcP) 219 (2019), forthcoming (ca. 37 pp.)
20. Remedies against Access Providers – From Copyright Injunctions to a Claim for Blocking Measures [“Die Inanspruchnahme von Zugangsvermittlern: Von der Störerhaftung zum Sperranspruch”], Copyright and Media Law Journal (ZUM) 2018, pp. 754-762
21. Artificial Intelligence and Competition Law [“Künstliche Intelligenz und Wettbewerbsrecht”], Journal of Competition Law (ZWeR) 2018, pp. 161-184 (cf 10. for English version)
22. Influence and Control in the Limited Partnership on Shares – Personal Scope of Application of Sections 285 para. 1 sentence 2 and 287 para. 3 German Public Limited Companies Act [“Einfluss und Kontrolle in der Kommanditgesellschaft auf Aktien – zum persönlichen Anwendungsbereich der §§ 285 Abs. 1 Satz 2 und 287 Abs. 3 AktG”], Periodical for Overall Commercial and Business Law (ZHR) 2018, pp. 157-190
23. Legal Policy in the Digital Era [“Rechtspolitik im digitalen Zeitalter”], Legal Policy Review (ZRP) 2017, pp. 215-216 (with Boris P. Paal)
24. The Forming of Opinions in the Digital Age – Regulation Tools for an Threat-Adequate Legal Framework [“Meinungsbildung im digitalen Zeitalter – Regulierungsinstrumente für einen gefährdungsadäquaten Rechtsrahmen”], Lawyers’ Journal (JZ) 2017, pp. 641-652 (with Boris P. Paal)
25. Personalized Media Services – Data Privacy and Contract Law [“Personalisierte Medienangebote im Datenschutz- und Vertragsrecht”], Copyright and Media Law Journal (ZUM) 2017, 544-552

26. Big Data and Law – Anti-Trust and Data (Privacy) Law Challenges [“Big Data im Recht – Wettbewerbs- und daten(schutz)rechtliche Herausforderungen”], *New Legal Weekly (NJW)* 2017, pp. 1697-1701 (with Boris P. Paal)
27. Pluralism of Opinions and the Internet – Regulation Tools with regard to Algorithms, Fake News, and Social Bots [“Meinungsvielfalt im Internet – Regulierungsoptionen in Ansehung von Algorithmen, Fake News und Social Bots”], *Legal Policy Review (ZRP)* 2017, pp. 76-79 (with Boris P. Paal)
28. Data Portability [“Datenportabilität”], *Privacy in Germany (PinG)* 2017, pp. 5-8
29. Online Archives and the General Data Protection Regulation [“Online-Archive im Lichte der Datenschutz-Grundverordnung”], *Communication & Law Journal (K&R)* 2017, pp. 18-23 (with Boris P. Paal)
30. The Right to Delete according to Art. 17 General Data Protection Regulation [“Das Recht auf Löschung gemäß Art. 17 Datenschutz-Grundverordnung”], *Privacy in Germany (PinG)* 2016, pp. 176-179
31. Anti-Trust Law Conformity of the Press Distribution System [“Kartellrechtskonformität des Presse-Grossos”], *New Anti-Trust Law Journal (NZKart)* 2016, pp. 160-166
32. ‘Reaching the addressee’ in European Contract Law [“Zugang von Erklärungen im europäischen Vertragsrecht”], *European Private Law Journal (ZEuP)* 2013, pp. 565-584
33. Protection of Copyrights in the Internet [“Schutz von Urheberrechten im Internet”], *Multimedia and Law Journal (MMR)* 2012, pp. 288-293 (with Boris P. Paal)
34. University Examination Civil Procedural Law [“Schwerpunktbereichsklausur Zivilverfahrensrecht”], *Education Journal (JURA)* 2011, pp. 558-560
35. Formal Requirements for Modifications of Contracts for Land [“Die Formbedürftigkeit von Vertragsänderungen gemäß § 311b Abs. 1 BGB”], *Law of Obligations Journal (ZGS)* 2011, pp. 157-165 (with Heinrich Nemeček)
36. State Examination in Private Law [“Examensklausur – Zivilrecht”], *Legal Education (JuS)* 2011, pp. 246-251 (with Boris P. Paal)
37. University Examination Civil Procedural Law [“Schwerpunktbereichsklausur – Zivilverfahrensrecht”], *Legal Education (JuS)* 2010, pp. 987-993 (with Burkhard Hess)
38. Private Media and Information Law in the Government’s Coalition Agreement [“Privates Medien- und Informationsrecht im Koalitionsvertrag”], *Legal Policy Review (ZRP)* 2010, pp. 40-43 (with Boris P. Paal)
39. Return of the ius ad rem? [“Rückkehr des ius ad rem?”], *Insolvency Law Journal (KTS)* 2010, pp. 85-107

Case notes:

40. Federal Court of Justice, 10/21/2015, I ZR 51/12—“Davidoff Hot Water II”, *New Legal Weekly (NJW)* 2016, p. 2193 (with Dimitrios Linardatos)
41. Federal Court of Justice, 05/31/2012, I ZR 106/10—“Ferienluxuswohnung”, *New Legal Weekly (NJW)* 2013, pp. 789-790
42. Federal Court of Justice, 04/19/2012, I ZB 80/11—“Alles kann besser werden”, *Lawyers’ Journal (JZ)* 2012, pp. 1025-1028

Book reviews:

43. Ulf Bernitz et al. (eds.), *General Principles of EU Law and European Private Law*, 2013, *The Rabel Journal of Comparative and International Private Law (RabelsZ)* 79 (2015), pp. 429-432