

## MARIA LILLÀ MONTAGNANI

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### EDUCATION

- 2002 – 2003: Intellectual Property LL.M., Queen Mary University of London, UK  
1998 – 2002: Ph.D. in Competition Law, Università degli Studi di Perugia, Italy  
1997 – 1998: Master for Business Lawyers, Bocconi University, Milan, Italy (in the capacity of tutor)  
1990 – 1995: Law Degree, Università Cattolica del Sacro Cuore, Milan, Italy

### ACADEMIC EXPERIENCE

- 2024 – Present: Full Professor – Commercial Law  
2012 – 2024: Associate Professor of Commercial Law Department of Legal Studies (tenured position), Bocconi University, Milan, Italy  
2020 – Present: Director of the LL.M in European Business and Social law ([EBLS](#)), Bocconi School of Law, Milan, Italy  
2014 – 2019: Director of Art Science and Knowledge research center ([ASK](#)) Bocconi University, Milan, Italy  
2005 – 2012: Assistant Professor of Commercial Law (tenure-track position), Department of Legal Studies, Bocconi University, Milan, Italy  
2001 – 2005: Postdoctoral researcher in Industrial and Intellectual Property Law, Department of Legal Studies, Bocconi University, Milan, Italy  
09/2003 – 12/2003: Visiting Researcher, Institute for Computer and Communications Law, Centre for Commercial Law Studies, Queen Mary University of London, UK

### FELLOWSHIPS AND VISITING PROFESSORSHIPS

- 2020 – Present: Transatlantic Technology Law Forum Fellow – Stanford Law School  
2018 – Present: Fellow, Centre for Intellectual Property Policy & Management (CIPPM), Bournemouth University, UK  
05-07/18–08-10/20: Visiting Professor, Peking University, School of Transnational Law, Shenzhen China  
2019 – 2020: NYU Global Hauser Research Fellow, NYU Law School, NY  
01/2017 – 02/2017: Visiting Professor, Global Law Program, Haifa University School of Law, Israel  
2014 – 2015: Faculty Affiliate, Berkman Klein Center for Internet & Society, Harvard University, Cambridge, MA, USA  
2007 – 2008: Scholarship Holder, Max Planck Institute for Intellectual Property, Competition and Tax Law, Munich, Germany  
2004 – 2005: Visiting Fellow, Centre for Commercial Law Studies (CCLS), Queen Mary University of London, UK

## **INSTITUTIONAL APPOINTMENTS**

- 2018 – 2020: Member of the EU Expert Group on Liability and New Technologies appointed by the European Commission
- 2017 – 2020: Co-director of the course “Fashion Law”, Milano Fashion Institute, Milan, Italy
- 2014 – 2016: Faculty committee member, Master in Arts Management and Administration, School of Management (SDA), Bocconi University, Milan, Italy
- 2014 – 2019: Member of CODICE Committee (Bocconi research centers’ directors board), Bocconi University, Milan, Italy
- 2008 – 2016: Member of the board of the Ph.D. in Intellectual Property, Università Statale degli Studi di Milano, Italy
- 2007 – Present: Faculty committee member, MS in Economics and Management in Arts, Culture, Media and Entertainment (ACME), Bocconi University, Italy
- 2007 – 2008: Member of the Governmental Commission for the Italian Copyright Law Reform

## **PROFESSIONAL QUALIFICATIONS AND ACTIVITIES**

- 1998 – Present: Qualified as Attorney-at-law, Milan Bar
- 2012 – 2021: Independent director, UnipolSai
- 2014 – 2018: Member of the Marketing and Advertising Commission of the International Chamber of Commerce (Italian section)
- 2008 – 2018: Of counsel, MMLEX law firm (now EMLEX), in charge mainly of the pro bono activity
- 2011 – 2012: Legal consultant for “Share your Knowledge” Project

## **AWARDS**

Winner of the Bocconi University’s ‘Prize for Excellence in Research’ in 2014, 2012, 2009, 2008, and 2007.

## **MAIN FUNDED RESEARCH PROJECTS**

- 06.2019 – 06.2024: Co-applicant and coordinator of the Bocconi University research team for “[Business-to-business data sharing within the EU digital market](#)” financed by the Polish National Science Centre, Opus contest, 2018/31/B/HS5/01192
- 06.2015 – 06.2018: Co-applicant and coordinator of the Bocconi University research team for EnDOW (Enhancing access to 20th Century cultural heritage through Distributed Orphan Works clearance), a JPI CULTURAL HERITAGE Project
- 03.2014 – 02.2017: Member of the Bocconi University research team of ITSSOIN (Social Innovation and Civic Engagement), funded by the European Commission’s Framework Programme 7
- 01.2013 – 04.2014: Co-applicant and coordinator of the Bocconi University research team within the second LAPSI (Legal Aspects of Public Sector Information), scientific network on the directive 2003/98/EC on the re-use of public sector information, funded by the European Commission’s Framework Programme 7
- 01.2010 – 09.2012: Co-applicant and member of the Bocconi University research team for the PRIN project ‘Legal and Socio-Economic Impact of Digital Consumption: Empirical Evidence and Policy Guidelines’, funded by the Italian Ministry for Education
- 12.2010 – 12.2012: Co-applicant and coordinator of the Bocconi University research team within the first LAPSI (Legal Aspects of Public Sector Information), scientific network on the

directive 2003/98/EC on the re-use of public sector information, funded by the European Commission's Framework Programme 7

04.2008 – 04.2010: Co-applicant and coordinator of the Bocconi University research team within the COUNTER (Counterfeiting and Piracy Research), funded by the European Commission's Framework Programme 7

#### **MEMBERSHIPS OF SCIENTIFIC SOCIETIES AND EDITORIAL BOARDS**

2021 – Present: Editorial Board of Mercato Concorrenza Regole  
2018 – Present Evaluation Board of Il diritto industriale  
2016 – 2020: Editorial Board of *Internet Policy Review*  
2016 – Present: EPIP, European Policy for Intellectual Property  
2014 – Present: Ascola, Academic Society for Competition Law  
2010 – Present: ALAI, Association Littéraire et Artistique Internationale  
2008 – Present: Steering Committee and Scientific Board of ISHTIP, History and Theory of Intellectual Property

#### **MAIN SCIENTIFIC MEETINGS ORGANIZED (SCIENTIFIC COMMITTEE MEMBER)**

23-24/11.2023: *Quo Vadis, EU (Law)? The Green Transition*, Third annual conference EBSL/BLEST, Bocconi University, Milan, Italy (co-organized with the University of Lapland)  
17/18.11.2022: *Quo Vadis, EU (Law)?* Second annual conference EBSL/BLEST, Bocconi University, Milan, Italy  
11.11.2021: *Quo Vadis, EU (Law)?* First annual conference EBSL/BLEST, Bocconi University, Milan, Italy  
12.12.2019: *Blockchain and Creativity*, Bocconi University, Milan, Italy  
4/6.07.2018: Annual ISHTIP Conference, Università Roma Tre, Rome, Italy  
3/4.05.2018: 10th Annual Conference on Innovation and Communications Law – CICL 2018, Bocconi University, Milan, Italy  
17.11.2016: Annual European Documentation Centre Conference: Finding Copyright in the Pursuit of Knowledge: Elements of Control and Freedom in Digital Research, Bocconi University  
3.06/1.07.2014: *The State, Nationalism and Historic Buildings*, Bocconi University, Milan, Italy  
12.05.2012: *Cloud Computing and the law: challenges and chances*, Bocconi University, Milan, Italy  
26/27.06.2009: 1st Annual ISHTIP Workshop: *The construction of immateriality*, Bocconi University, Milan, Italy  
5/6.07.2007: 3rd Annual Conference on the Law and Economics of Intellectual Property and Information Technologies, co-organised with CCLS (Centre for Commercial Legal Studies), Queen Mary University of London, Charterhouse Square, London, UK

#### **MAIN CONFERENCE PRESENTATIONS AND PUBLIC LECTURES**

- *Toward a (Fifth) Freedom of Movement for Data?*, 15 September 2023, OPUS Conference “Data Sharing within the EU Digital Market”, University of Warsaw, Poland
- *Closing the loops of circular economy - Opening data for a better patent system*, 11-13 September 2023, the Annual Conference of EPIP (European Policy for Intellectual Property), Kraków, Poland
- *Closing the Loop on Circular Economy: The Overlooked Role of IP*, 9-12 July, 41<sup>st</sup> ATRIP Congress, University of Tokyo, Tokyo, Japan

- *Intermediary liability regime in the Digital Single Market*, 11-12 May 2023, Conference “Echoes of the Past, Prospects for the Future: 60 years of EU legal studies at Liège”, University of Liège, Belgium
- *The application of Digital Services Act in Italy: EU horizontal rules vs sectoral (national) rules*, 13-14 October 2022, IRDT Conference, University of Trier, Germany
- *A Freedom of movement of data: myth or reality?*, 14-16 September 2022, the Annual Conference of EPIP (European Policy for Intellectual Property), Cambridge University, UK
- *IP in the Circular Economy*, 13-14 June 2022, Symposium on “The Role of Intellectual Property in Times of Radical Change”, Max Planck Institute for Innovation and Competition, Munich
- *Roboboard e robocompanies*, 12-13 May 2022, “Diritto Societario, Digitalizzazione e Intelligenza Artificiale”, Università degli Studi di Firenze, Florence, Italy
- *Probing personal data*, 27 January 2022, NYU Privacy Research Group, NYU Law School, NYC, USA
- *How far should the “public task” cover?*, 30 September 2021, ALAI 2021 Congress, Madrid, Spain
- *Tech Committees and AI Governance: An Empirical Analysis in Europe and North America*, 23 March 2021, NYU Information Technology Law Center, NYU Law School, NYC, USA
- *Regulation 2018/1807: yet another piece in the EU data puzzle?*, 4 March 2020, NYU Privacy Research Group, NYU Law School, NYC, USA
- *Virtues and Perils of Algorithmic Enforcement and Content Regulation in the EU – A Toolkit for a Balanced Algorithmic Copyright Enforcement*, 10 February 2020, IP International Colloquia, Columbia Law School, NYC, USA
- *Emerging Digital Technologies and the Liability Issue*, 24 October 2019, NYU Global Fellows Forum, NYU Law School, NYC, USA
- *Algorithmic Enforcement in the DSM Strategy: The Case of Copyright Law*, 25 April 2019, SciencesPo Law School, Paris, France
- *A European liability framework for the emerging digital technologies*, INBOTS “Inclusive Robotics for a Better Society” Conference, 16 October 2019, Palazzo dei Congressi, Pisa, Italy
- *Online Platforms and the Public Interest – Liable, Responsible or Accountable?*, 5<sup>th</sup> Global Congress on IP & the Public Interest, 27-29 September 2019, American University Washington College of Law, Washington DC, USA
- *Open (Private) Data*, 13th Annual EPIP Association (European Policy for Intellectual Property) Conference, 5/7 September 2018, ESMT Berlin, Germany
- *The European geo-blocking regulation between competition and copyright law: Servant of two masters?*, 13th ASCOLA Conference ‘The Effects of Digitization, Globalization and Nationalism on Competition Law’, 21/23 June 2018, NYU Law School, NYC, USA
- *Unveiling New Cultural Vulnerabilities in the Algorithmic Economy: A Cross-market Analysis*, 2018 IGPL ‘Law in Global Political Economy: Heterodoxy now’, 2/3 June 2018, Harvard Law School, Cambridge MA, USA
- *Diligent search and access to sources across the EU*, Endow Final Conference, ‘Diligent search in the EU: Challenges and opportunities’, 15 May 2018, EUIPO, Alicante, Spain
- *Exploring the Next Frontier for Open Data: Free Flow of Knowledge in the Private Sector*, Workshop ‘The Open Information Society: Where Are User Rights?’, 27/28 February 2018, European University Institute (EUI), Fiesole, Italy
- *Internet Intermediaries Liability within the Digital Single Market Strategy*, 13th Annual Conference of the Italian Society of Law and Economy, 15-16 December 2017, Università LUMSA, Rome, Italy
- *L’eccezione di data mining a scopo di ricerca, tra limiti applicativo e proposte di data commoditization*, Conference ‘Il Mercato Unico Digitale: quale futuro per il Copyright? Obiettivi, inquadramento e prospettive della proposta della Commissione UE di una nuova direttiva’, 6 December 2017, Università LUISS, Rome, Italy

- *Public Art and Copyright Law (An Exploratory Analysis)*, CREATE Public Lecture, 23 October 2017, University of Glasgow, UK
- *Il data e text mining*, XXXII Aida Conference ‘Internet e diritto d’autore UE’, 15-16 September 2017, Court of Appeal of Milan, Italy
- *Public Art and Copyright Law: An Exploratory Analysis*, SMU School of Law Public Lecture, 5 July 2017, Singapore Management University, Singapore
- *The challenge of diligent search: a survey on 20 EU Member States, Endow International Symposium ‘New Approaches to the Orphan Works Problem Technology, Regulation, Practices’*, 23 June 2017, Bournemouth University, UK
- *The Digitisation of Cultural Heritage in Europe A Theoretical and Empirical Analysis of the Orphan Works Directive*, 2017 Work in Progress Intellectual Property, 10/11 February 2017, Boston University School of Law, Boston MA, USA
- *Open innovation and patent pledges*, 11th Annual EPIP Association (European Policy for Intellectual Property) Conference, 3/5 September 2016, Pembroke College at Oxford University, Oxford, UK
- *Pledges and Covenants: The Keys to Unlock Patents*, ‘Patent Pledges Symposium 2015’, 12 June 2015, American University Washington College of Law, Washington DC, USA
- *Wandering in the Land of the EU Abuse of Rights: Coordinates from the Antitrust Experience?*, 10th Ascola Conference ‘Abuse Regulation in Competition Law - Past, Present and Future’, 21-24 July 2015, Meiji University, Tokyo, Japan
- *Public Architectural Art and Copyright Law: An Exploratory Analysis*, Center for Innovation Law and Policy (CILP) Seminar Series, 4 February 2015, University of Toronto, Toronto, Canada
- *Cloud Services in the Entertainment Industries*, International IP Seminar ‘New Perspectives of Copyright in Europe: Harmonization, Territoriality and New Technologies’, 14 November 2014, Bocconi University
- *Public Art, Public Architectural Art and their surroundings*, 2014 ICONS Inaugural Conference ‘Rethinking the Boundaries of Public Law and Public Space’, 26/28 June 2014, Florence, Italy
- *Public Architectural Art and its Spirits of Instability*, paper delivered at the Sixth Annual ISHTIP (International Society for the History and Theory of Intellectual Property) Conference, 2/4 July 2014, Uppsala University, Sweden
- *Da Alessandria d’Egitto a Google: libertà e condizionamenti delle biblioteche nell’ambiente digitale*, Workshop ‘Libertà e Nuove Tecnologie’, 13/14 June 2014, Bocconi University
- *The AstraZeneca’s abuse of IPR-related procedures: and hypothesis of antitrust offence, abuse of rights, and IPR misuse*, EU Center for Excellence seminar series, 20 January 2011, Copenhagen Business School (CSB), Denmark
- *Online distribution of Digital Goods: Empirical Evidence from Bottom-Up Cluster Analysis*, Fifth Annual Conference on Empirical Legal Studies (CELS 2010), 5/6 November 2010, Yale Law School, New Haven Connecticut, USA
- *Open source software, patents and royalty-free licensing*, 4<sup>th</sup> Annual Conference of EPIP (European Policy for Intellectual Property) ‘Measuring the value of IPR: theory, business practice and public policy’, 24/25 September 2009, Università degli Studi di Bologna, Italy
- *Fostering Innovation: The Open Source Software (OSS) Phenomenon*, International Forum of Economia e società aperta ‘Innovación, eficiencia y competencia. Una tríada para ganar la crisis’, 26 November 2008, Madrid, Spain
- *Positive Copyright and Open Access Licensing*, MIT5 Conference ‘Creativity, ownership and collaboration in the digital age’, 27/29 April 2007, Massachusetts Institute of Technology (MIT), Cambridge MA, USA

- *Exclusionary innovation: How to avoid innovation to be stifled – Remedies identified for the software sector*, First Annual Conference of EPIP (European Policy for Intellectual Property) ‘Policy, Law and Economics of Intellectual Property’, 7/8 September 2006, European Patent Office, Munich, Germany
- *Positive Copyright and Copyleft Licenses: How to Make a Marriage Work*, Conference ‘Con/texts of Invention’, 20/23 April 2006, Case Western Reserve University, Cleveland Ohio, USA

## TEACHING ACTIVITIES

- 2021 – 2023: [\*Responsible AI, Law, Ethics & Society\*](#), elective course offered to students from Bocconi University, Boston University, Tel Aviv University and the Israel Institute of Technology
- 2020 – Present: *Cybersecurity and data protection*, mandatory course within the Bocconi Master of science in *Cyber Risk Strategy and Governance*
- 2020 – Present: *Emerging Digital Technology and the Law*, elective course taught in English within the Bocconi Law degree
- 2017 – Present: *European and International Information Technology Law (Advanced)*, mandatory course in English within the Bocconi Bachelor in management and Computer Science
- 2017 – Present: *Intellectual Property and Competition in the Digital Millennium*, mandatory course within the Bocconi LLM in Law of Internet Technology (LIT) (Convenor)
- 05-07/18 – 08-10/20: *Big data, Algorithms and Artificial Intelligence: Regulatory Challenges*, course taught as visiting professor at the Peking University School of Transnational Law, Shenzhen, China
- 2018-19 – Present: *Data law and data driven-economy*, mandatory course within the Bocconi LL.M. in Law of Internet Technology (LIT)
- 01/2017-02/2017: *Intellectual Property Law and Cultural Industries: a EU Perspective*, course taught as Visiting Professor at the University of Haifa, Faculty of Law
- 2017 – 2020: *European and International Intellectual Property Law*, elective course in English within the Bocconi Law degree
- 2015 – 2021: [\*CopyrightX\*](#), a twelve-week networked course organized by Harvard Law School and the Berkman Klein Center, and run by several affiliate institutions
- 2000 – 2015: Courses taught in the fields of Intellectual Property Law, Law and Marketing, Communication Law and Commercial law in English and Italian.

## PUBLICATIONS IN ENGLISH

### Edited books

1. K. Klafkowska-Wasniowska, K. Lindroos, M.L. Montagnani (eds), *Freedoms and Responsibilities of Online Platforms*, forthcoming Edward Elgar 2024
2. I. Calboli, M.L. Montagnani (eds), *Handbook on Intellectual Property Research*, Oxford University Press, 2021
3. A. Flanagan, M.L. Montagnani (eds), *Intellectual Property and Social Justice: a law and economics approach*, Edward Elgar, 2010

### Articles in journals

4. *The EU regulatory approach(es) to AI liability, and its application to the financial services market*, Computer Law & Security Review (forthcoming 2024) (joint with M. Najjar and A. Davola)
5. *(Digital) Circular Economy and IPRs: A Story of Challenges and Opportunities*, 54 IIC - International Review of Intellectual Property and Competition Law 1009 – 1012 (2023)
6. *What Makes Data Personal?*, 56 UC Davis Law Review 1165-1232, 2023 (joint with M. Verstraete)
7. *Toward an Enhanced Level of Corporate Governance: Tech Committees as a Game Changer for the Board of Directors*, 15 J. Bus. Entrepreneurship & L. 1-80 (2022) (joint with M.L. Passador)
8. *Towards an Ecosystem for Consumer Protection in the Context of AI-based Credit Scoring*, 33 European Business Law Review 557-580 (2022) (joint with C. Paulesu)
9. *Liability and emerging digital technologies: an EU perspective*, 11 Notre Dame Journal of International & Comparative Law 209-231 (2021) (joint with M. Cavallo)
10. *IP and data (ownership) in the new European strategy on data*, 43 European Intellectual Property Review 156-163 (2021) (joint with A. Von Appen)
11. *Copyright and Human Rights in the Ballroom: A Minuet between the US and the EU*, 46 Mitchell Hamline Law Review 613-654 (2020) (joint with A. Trapova)
12. *Virtues and Perils of Algorithmic Enforcement and Content Regulation in the EU - A Toolkit for a Balanced Algorithmic Enforcement*, 44 Case Western Journal of Law, Technology and the Internet 1-44 (2020)
13. *New Obligations for Internet Intermediaries in the Digital Single Market—Safe Harbors in Turmoil?*, 22 Journal of Internet Law 3-11 (2019) (joint with A. Trapova)
14. *Safe harbours in deep waters: making sense of policy and legislative action in the EU Digital Single Market*, 26 International Journal of Law and Information Technology 1 (2018) (joint with A. Trapova)
15. *Cybersecurity and Competition Law in a Big World Data*, II Market and Competition Law Review 71 (2018) (joint with M. Cavallo)
16. *The Making of an ‘Orphan’: Cultural Heritage Digitisation in the EU*, 25 International Journal of Law and Information Technology 196-212 (2017) (joint with L. Zoboli)
17. *Foodporn: experience-sharing platforms and user-generated content - how to make copyright fit for the sharing economy?*, 39 European Intellectual Property Review 396-402 (2017) (joint with A. Bertoni)
18. *Public Art and Copyright Law: How the public nature of architectures changes copyright protection*, 12 Future Anterior 46-55 (2015) (joint with A. Bertoni)
19. *Public architectural art and its spirits of instability*, 5 Queen Mary Journal of Intellectual Property 247-263 (20-15) (joint with A. Bertoni)
20. *Cultural content in the digital arena: Toward the hybridization of legal and business models*, 3 Organizational Aesthetics 42-63 (2014) (joint with M. Maggiolino and M. Nuccio)
21. *From art displays to art experience: what protection for art exhibitions and art festivals?*, 3 Queen Mary Journal of Intellectual Property 204-223 (2013) (joint with P. Magnani)
22. *Standardized Terms and Conditions for Open Patenting*, 14 Minnesota Journal of Law, Science & Technology 785-816 (2013) (joint with M. Maggiolino)
23. *Determinants in the online distribution of digital content: an exploratory analysis*, 3 European Journal of Law and Technology (2012) (joint with M. Borghi, M. Maggiolino and M. Nuccio)
24. *From Open Source Software to Open Patenting – What’s New in the Real of Openness?*, 42 IIC International Review of Intellectual Property and Competition Law 804-832 (2011) (joint with M. Maggiolino)
25. *Astrazeneca’s Abuse of IPR-Related Procedures: A Hypothesis of Anti-Trust Offence, Abuse of Rights, and IPR Misuse*, 34 World Competition 245-259 (2011) (joint with M. Maggiolino)
26. *A New Interface between Copyright Law and Technology: How User-Generated Content will Shape the Future of Online Distribution*, 26 Cardozo Art & Entertainment Law Journal 719-773 (2009)
27. *Positive Copyright and Open Content Licences: How to Make a Marriage Work by Empowering Authors to Disseminate Their Creations*, 12 International Journal of Communications Law and Policy 246-273 (2008) (joint with M. Borghi)

28. *Digital Rights Management systems and Competition: What Developments within the Much Debated Interface between Intellectual Property and Competition Law?*, 39 IIC International Review of Intellectual Property and Competition Law 82-105 (2008) (joint with P. Magnani)
29. *Remedies to Exclusionary Innovation in the High-Tech Sector: Which Lesson from the Microsoft Saga?*, 30 World Competition 623-643 (2007)
30. *Predatory and Exclusionary Innovation: Which Legal Standard for Software Integration in the Context of the Competition versus Intellectual Property Rights Clash?*, 37 IIC International Review of Intellectual Property and Competition Law 304-335 (2006)
31. *Consolidated Convergence: An Italian Merger Saga*, 9 Journal of Computer, Media and telecommunications Law 49-67 (2004)

### Contributions in books

32. *An (Enhanced) Accountability Framework for an Enhanced Liability Regime*, in *Freedoms and Responsibilities of Online Platforms*, Edward Elgar (*forthcoming* 2024)
33. *IP and Data Ownership in the European Strategy for Data*, in M. Borghi, R. Brownsword (eds), *Law, Regulation and Governance in the Information Society: Informational Rights and Informational Wrongs*, Routledge, 321-338 (2022) (joint with Antonia von Appen)
34. *The Interface Between Intellectual Property and Information technology Law*, in I. Calboli, M.L. Montagnani (eds), *Handbook on Intellectual Property Research*, Oxford University Press, 149-162 (2021)
35. *US and EU: diverging or intertwined paths?*, in M. Bassini, O. Pollicino, G.M. Riccio (eds), *Copyright versus (other) fundamental rights in the digital age. A comparative analysis in search of a common constitutional ground*, Edward Elgar 188-215 (2020) (joint with A. Trapova)
36. *Liability and emerging digital technologies: an EU perspective*, in V. Falce (ed.), *Fairness e Innovazione*, Zanichelli, 81-96 (2020)
37. *European Platforms' Regulation in a Digital Single Market Strategy*, in G. Frosio (ed.), *The Oxford Handbook of Online Intermediary Liability*, 295-311, Oxford University Press (2020)
38. *The abuse of rights in EU competition law and beyond*, in P. Van Cleynenbreugel, P. Nihoul (eds), *The roles of innovation in competition law analysis*, Edward Elgar, 274-297 (2018) (joint with M. Maggolino)
39. *Open Innovation and Patents Pledges*, in J. L. Contreras and M. Jacob (eds), *Patent Pledges*, Edward Elgar 248-259 (2017) (joint with M. Maggolino)
40. *Cloud-based locker services for music: other incoming battles in the endless war between copyright and technology?*, in *Challenges and Opportunities of Online Entertainment*, UOC-Huygens Editorial 25-46 (2012) (joint with A. Bertoni)
41. *The search for EU boundaries: IPR exercise and enforcement as 'misuse'*, in A. Flanagan, M.L. Montagnani (eds), *Intellectual Property and Social Justice: A Law and Economics Approach*, Edward Elgar Publishing 112-143 (2010) (joint with A. Flanagan, F. Ghezzi)
42. *Promises and Pitfalls of the European Copyright Law Harmonisation Process*, in D. Ward (ed.), *The European Union & the Culture Industries: Regulation and the Public Interest*, Ashgate 213-240 (2008) (joint with M. Borghi)

### Policy reports

43. Expert Group on Liability and New Technologies – New Technologies Formation, European Commission, [Liability for Artificial Intelligence and other emerging digital technologies](#), 2019
44. A. Bertoni, F. Guerrieri, M.L. Montagnani, *Requirements for Diligent Search in 20 European Countries*, June 2017, Report for the EnDOW project
45. M. Borghi, M.L. Montagnani, I. Gupta, *Evaluating scenarios for managing copyright online*, May 2010, Report for the EC's 7th Framework project COUNTER – Counterfeiting & Piracy Research

46. M. Borghi, M.L. Montagnani, *Models for managing intellectual property rights on the Internet. On-line distribution of digital media content*, October 2009, Report for the EC's 7th Framework project COUNTER – Counterfeiting & Piracy Research

## PUBLICATIONS IN ITALIAN

### Edited books

47. M. Maggiolino, M.L. Montagnani (eds), *Marketing e diritto*, Egea 2009
48. M.L. Montagnani, M. Borghi (eds), *“Proprietà digitale”: diritti d'autore, nuove tecnologie e Digital Rights Management*, Milano, Egea 2006

### Books

49. M.L. Montagnani, *Il ruolo dell'intelligenza artificiale nell'adempimento delle funzioni di amministrazione e controllo del consiglio di amministrazione delle società quotate*, Egea, 2021
50. A. Assenza, A. Bertoni, G. Colangelo, M. Maggiolino, M. Maggiore, M.L. Montagnani, *Il diritto per il marketing*, Giappichelli, 2020
51. M.L. Montagnani, *Internet, contenuti illeciti e responsabilità degli intermediari*, Egea 2018
52. M.L. Montagnani, *Il diritto d'autore nell'era digitale: la distribuzione online delle opere dell'ingegno*, Giuffrè, 2012

### Articles in journals

53. Governance societaria e governance dell'intelligenza artificiale, Mercato, Concorrenza, Regole 271-290 (2022)
54. Le procedure di notice and take down gestite dai prestatori di servizi, XXXI AIDA 68-83 (2022)
55. Il consiglio di amministrazione nell'era dell'intelligenza artificiale: tra corporate reporting, composizione e responsabilità, 66 Rivista delle società, 121-151 (2021) (joint with M.L. Passador)
56. Intelligenza artificiale e governance nella “nuova” grande impresa azionaria: potenzialità e questioni endoconsiliari, 65 Rivista delle società, 1003-1028 (2020)
57. Flussi informativi e doveri degli amministratori di società per azioni ai tempi dell'intelligenza artificiale, Persona e Mercato 86-105 (2020)
58. Proprietà intellettuale e dati: dalla proprietà all'accesso, 66 Diritto dell'Economia 529-559 (2020)
59. La libera circolazione dei dati al bivio: tra tutela dei dati personali e promozione dell'intelligenza artificiale europea, XXI Mercato Concorrenza Regole, 271-291 (2019)
60. Il text and data mining e il diritto d'autore, AIDA 376-395 (2017) (joint with G. Aime)
61. Libertà e condizionamenti delle biblioteche nel diritto d'autore in rete, 44 Ragion pratica 83-102 (2015)
62. La modernizzazione del diritto d'autore e il ruolo degli intermediari internet quali propulsori delle attività creative in rete, XXX Diritto dell'informazione e dell'informatica 111-149 (2015) (joint with A. Bertoni)
63. Primi orientamenti in materia di responsabilità dei fornitori di servizi cloud per violazione del diritto d'autore in rete, 63 Rivista di diritto industriale 177-205 (2014)
64. Le utilizzazioni delle opere orfane, XXII AIDA 162-174 (2013)
65. Il ruolo degli intermediari internet tra tutela del diritto d'autore e valorizzazione della creatività in rete, XI Giurisprudenza Commerciale 537-585 (2013) (joint with A. Bertoni)
66. Proprietà intellettuale ed esposizioni di opere: la tutela delle banche di dati, Il diritto d'autore 1-48 (2009) (joint with F. Morando)
67. Dal peer-to-peer ai sistemi di Digital Rights Management: primi appunti sul melting pot della distribuzione online, Il diritto d'autore 1-57 (2007)
68. Software ed innovazione predatoria, AIDA 425-450 (2004) (joint with F. Ghezzi)

69. *L'applicazione del diritto antitrust nei "nuovi" mercati regolamentati dell'energia e del gas: il caso Enel e la strategia di impresa multiutility*, 10 *Concorrenza e Mercato* 123-137 (2002)
70. *L'applicazione del diritto antitrust nei settori speciali "tradizionali" (bancario e assicurativo) e nel mercato delle comunicazioni*, 10 *Concorrenza e Mercato* 93-121 (2002)
71. *Concorrenza, regolamentazione e settori speciali*, 9 *Concorrenza e Mercato* 259-278 (2001)
72. *Cenni alla riforma del processo amministrativo e implicazioni nella tutela della concorrenza*, 9 *Concorrenza e Mercato* 259-278 (2001)
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