

Avv. Jacopo Ciani



✉ jacopo.cianisciolla@unito.it

 [linkedin.com](https://www.linkedin.com)

 orcid.org

 ssrn.com

 academia.edu

WORK EXPERIENCE

Research Fellow (RTDa) IUS/20

01 December 2021– present

@ [University of Turin – Department of Law](#)

Business or sector Legal Informatics, Law and Technology, Philosophy of Law

01 May 2022– present

@ [ISLC – Information Society Law Center - University of Milan](#)

Of Counsel

01 October 2011 – 31 June 2013

@ Law Firm “[Perani Pozzi Tavella](#)”, Piazza San Babila 5, Milan (Italy).

1 July 2013 – present

@ Law Firm “[Tavella – Studio di Avvocati](#)”, Via del Lauro 14, Milan (Italy).

Practices Intellectual Property Law (Trademark, Patent, Design, Trade Secrets, Copyright and related rights), Advertising Law, Law & Technology, Consumer Law, Competition and Antitrust Law, Food Law, Fashion Law, Privacy and Data Protection Law

Industries Fashion, Food, Automotive, Gambling, Media and Advertising, Transport, Healthcare, Telco, Payment services, Digital, E-commerce, Artificial Intelligence, Internet of things, Big Data

1 January 2020 – present

Affiliate Professor

@ [ESCP Europe Business School Turin Campus](#), Bachelor in Management (BSc)

Academic Courses International and European Business Law and Taxation

Assistant Editor

@ [Kritika vol. V: Essays on Intellectual Property](#) edited by Gustavo Ghidini, Hanns Ullrich, and Peter Drahos for Edward Elgar Publishing

EDUCATION AND TRAINING

15 Sept. 2000 – 15 June 2005

Maturità (secondary school license)

EQF level 4

@ Liceo classico M. D’Azeglio, via Parini, Torino

- Final Grade: 100/100

01 October 2005– 11 April 2011

Master Degree in Law

EQF level 7

@ University of Turin

- Final Grade: 110/110 summa cum laude and dignity of printing
- Final dissertation title: “*Trademark Infringement: the hard cases*”
- Supervisor. Prof. Avv. Marco Ricolfi

- 01 Sept. 2007 – 31 March 2008 **Erasmus**
 @ Westfälische Wilhelms Universität, Münster (Germany)
- 24 March 2010 – 18 June 2010 **XX ed. Post-graduate course in International Trade Law** EQF level 7
 @ ITC International training centre of ILO International Labour Organization, Turin (Italy)
 ▪ Jointly Organized by University of Turin, IUSE University Institute of European Studies (Turin), ITC-ILO and UNCITRAL
 ▪ Final examination grade: A (excellent)
- 01 January 2012 – 15 January 2016 **Ph.D. in Juridical Sciences (curriculum in IP and Competition Law)** EQF level 8
 @ University of Milan (Italy)
 ▪ Research Project: “*The right to keep free (Freihaltebedürfnis) as limit to the trademark protection*”
 ▪ Supervisor: Em. Prof. Avv. Gustavo Ghidini (LUISS), Prof. Avv. Marco Saverio Spolidoro (Catholic University of Sacred Heart), Prof. Avv. Silvia Giudici (University of Milan)
- 13 January 2014 – 31 July 2014 **Visiting scholar**
 @ Max Plank Institute for Innovation and Competition, Munich (Germany)
 Department: Prof. Dr. Reto Hilty, Supervisor: Prof. Dr. Annette Kur
- 14 July 2014 – 18 July 2014 **5th LERU League of European Research Universities Doctoral Summer School**
 @ University of Helsinki (Finland)
- 28 January 2015 – 28 February 2015 **Visiting scholar**
 @ Center for Intellectual Property (CIR/ICRI), KU Leuven, (Belgium)
 Supervisor: Prof. Marie-Christine Janssens
- 21 April 2016 – 17 May 2016 **Post-graduate course in Computer forensics e Data protection**
 @ University of Milan (Prof. Pierluigi Perri)
- 1 December 2016 – 1 December 2017 **Post-doc Scholarship Holder**
 @ University of Turin, School of Law
 Research Project: “The legal framework of Big Data: automated processing and crossborder data flows”.
 Supervisor: Prof. Alberto Oddenino, Prof. Ugo Pagallo
- 1 July 2019 – 31 December 2019 **Post-doc Scholarship Holder**
 @ University of Turin, Computer Science Department
 Research Project: “The legal regime of data flows”
 Supervisor: Prof. Guido Boella, Prof. Ugo Pagallo
- 15 marzo 2021 – 14 luglio 2021 **Post-doc Scholarship Holder**
 @ University of Turin, School of Law
 Research Project: “LAILA - Legal Analytics for Italian Law”
 Supervisor: Prof. Ugo Pagallo

LANGUAGE(S)

| | |
|---------|--|
| Italian | Mother tongue |
| English | First Certificate in English (FCE), Cambridge University |
| German | Zertifikat Deutsch, Goethe Institut |

PUBLICATIONS

- Ciani J., Hashish M., *Intellectual property Rights: an overview on the International and European legal framework*, International Trade Law post-graduate course participant’s Review, 2010.

- Note to Court of Turin, IX sez., 11 April 2011, *Giurisprudenza Italiana*, 7/2011, 1553.
- *Affinity between copyright infringement and breach of personality rights by defamation for the purpose of determining which court has jurisdiction pursuant to sec. 20 of the Italian Civil Procedure Code*, note to Court of Florenz, 13 February 2012, *Giurisprudenza Italiana*, 11/2012, 2340.
- *Patented and generic drugs: bioavailability and bioequivalence*, *Ragusan*, 2012, 341-342, 206-208.
- *Implementation, termination and withdrawal in advertising agency contracts*, note to Court of Milan, 2 august 2013, *Giurisprudenza Italiana*, 6/2014, 1431.
- *Gossip and the right to privacy: the news' anonymity is not enough, when the victim is still identifiable*, note to Italian Supreme Court, 27 January 2014, n. 1608, *Il diritto dell'informazione e dell'informatica*, 3/2014, 349-362.
- *Sports debacle and the protection of sponsor's expectations of advertising return*, note to Italian Supreme Court, sez. III, 8 April 2014, n. 8153, *Il diritto industriale*, 4/2014, 385.
- *Intellectual property rights and the growing interest in legal protection for culinary creations*, in Nobile M. (eds.), *World Food Trends and the Future of Food*, Ledizioni, Milano, 2015, 15-31 (ISBN print 978-88-6705-392-6, ISBN ebook 978-88-6705-404-6).
- *A competition Law Oriented Look at the Application of Data Protection and IP Law to the Internet of Things: towards a wider "holistic approach"*, in Bakhoum M., Conde Gallego B., Mackenrodt M.-O., Surblytė-Namavičienė G. (eds.), *Personal Data in Competition, Consumer Protection and IP Law – Towards a Holistic Approach?*, MPI Studies on Intellectual Property and Competition Law, vol 28. Springer, Berlin, Heidelberg, pp. 215-249, (Print ISBN 978-3-662-57645-8, Online ISBN 978-3-662-57646-5, https://doi.org/10.1007/978-3-662-57646-5_9).
- *Property rights model v. contractual approach: How protecting non-personal data in cyberspace?*, in *Diritto del Commercio Internazionale*, 4/2017, 831-854.
- Ciani J., Tavella M., *The last frontiers of stealth marketing: "native advertising", duty of disclosure and difficulty of enforcement*, in *Informatica e diritto*, 1-2/2017, 485-517.
- *Governing Data Trade in Intelligent Environments: a Taxonomy of Possible Regulatory Regimes between Property and Access Rights*, in Chatziannakakis, I., Tobe, Y., Novais, P., Amft, O. (eds.), *Intelligent Environments 2018*, vol. 23 *Ambient Intelligent and Smart Environments*, IOS Press, 285-297, ISSN 1875-4163, available at <http://ebooks.iospress.nl/volumearticle/49373> and at <https://ssrn.com/abstract=3204612>
- Ciani J., Bresciani M., *Pattern protection in the fashion industry: An overview of Italian and European case law*, in *Journal of Intellectual Property and Practice*, vol. 13, issue 11/2018, 884-889 (<https://doi.org/10.1093/jiplp/jpy132>)
- *Outside the GDPR: the delicate balance between privacy and security as a considerable challenge in ensuring and effective protection of personal data. The Russian case*, in Bonavita S. (ed.), *Società delle tecnologie esponenziali e General Data Protection Regulation: la circolazione internazionale dei dati personali*, vol. II, Ledizioni, Milano, 2019, ISBN: 9788867059898,
- Atkinson V., Ciani J., Ghidini G., van Caenegem W., *A comparative study of fashion and IP: Trademark law in Italy and Australia*, *IIC*, 2019, 50, 9, pp 1101–1130
- *Learning from Monkeys: Authorship Issues Arising from AI Technology*, in P.M. Oliveira, P. Novais, L. P. Reis, *Progress in Artificial Intelligence*, 19th EPIA Conference on Artificial Intelligence, Vila Real, Portugal, September 3–6, 2019, *Proceedings*, Part I, Springer, 2019, pp. 275-286
- *Protecting Wine Packaging as a Trademark: Why the Substantial Value Exclusion Makes the Task Unreasonably Burdensome*, in J. Chaisse, F. Dias Simões, D. Friedmann, *Wine Law and Policy From National Terroirs to a Global Market*, Brill | Nijhoff, 2021, 626-650
- *Il pubblico dominio nella società della conoscenza. L'interesse generale al libero utilizzo del capitale intellettuale comune* (trad. The public domain in the information society), Giappichelli Editore, Torino, 2021

- *Diritto all'oblio e cooperazione internazionale: problemi e prospettive* (trad. Right to be forgotten and international cooperation: problems and perspectives), *Rivista italiana di informatica e diritto* 2022, 4, 1

- *The transposition of the transparency obligation pursuant to Article 19 Directive (EU) 790/2019: an Italian perspective*, *Journal of intellectual property and practice*, 2022, 15, 5

- Pagallo U., Ciani J., Durante M. (2022), *The environmental challenges of AI in EU law: lessons learned from the Artificial Intelligence Act (AIA) with its drawbacks*, *Transforming Government: People, Process and Policy*, Vol. ahead-of-print, <https://doi.org/10.1108/TG-07-2021-0121>

- *I dati come proprietà intellettuale tra diritti di esclusiva e diritti di accesso*, in Durante M., Pagallo U., *La politica dei dati. Il governo delle nuove tecnologie tra diritto, economia e società*, Mimesis Edizioni, 2022.

CONFERENCES
WORKSHOPS
ROUNDTABLES

* * *

- Speech @ "Proposals for changing Trademark Regulation and Directive", 19 May 2015, University of Milan, on "Freihaltebedurfnis or the right to keep free: a missed opportunity?"

- Speech @ "Personal Data in Competition, Consumer Protection and IP Law – Towards a Holistic Approach?", Max Planck Institut for Innovation and Competition, 21 October 2016, Munich, on *A competition Law Oriented Look at the Application of Data Protection and IP Law to the Internet of Things: towards a wider "holistic approach"*

- Speech @ "Internet Governance, Big Data and the Challenges for International Organizations", University of Turin, 19 May 2017, on "Big Data and Intellectual Property Rights".

- Speech @ "Workshop on the Normative Challenges of Converging Technologies: AI, Big Data, and the Internet of Everything", held at IACAP (The International Association for Computing and Philosophy) 2017 Annual Meeting, 26-28 June 2017, Stanford University, Palo Alto, on "Towards a propertization of data?"

- Speech @ "Social media and rights. Law and social media", 20 December 2017, Florence, Museo del 900, on "Recognizing the advertising or commercial nature of communication in digital environments".

- Speech @ "LIIE'2018 – Legal Issues in Intelligent Environments' 18" (<https://liie2018.weebly.com>), within the 14th International Conference on Intelligent Environments – IE'18 (<http://www.intenv.org/>), DIAG La Sapienza University of Rome, 25-28 June 2018 on "Governing Data Trade in IEs: a taxonomy of possible regulatory regimes between property and access"

- Speech @ "Privacy, Big Data and Law from a EU Law and International Law perspective" on "Data and Big Data: between property rights and freedom of contract" @ Pavesio e Associati, Torino (18 October 2018)

- Discussant @ "6th Göttingen International Research Forum on Law and ICT/IP 2018", funded by Ministry of Science and Culture of Lower Saxony and Univeritätsbund Göttingen, 8-9 November 2018, Convention Centre, Göttingen

- Speech @ "19th EPIA Conference on Artificial Intelligence", Vila Real, Portugal, September 3–6, 2019 on "Learning from Monkeys: Authorship Issues Arising from AI Technology"

- Organiser @ "3rd International Comparative Colloquium - Ip and fashion: from creator to consumer", University of Milan, 29 May 2019

- Speech @ "Il potere della condivisione al tempo del COVID-19. Tra diritto e best practices", webinar organized by Ius in Itinere, 4 June 2020

- Speech @ "The national transposition of the DSM Directive: JIPLP Special DSM Issue", webinar organized by Journal of Intellectual Property Law & Practice, 8 June 2022 on "The transposition of the transparency obligation pursuant to Article 19 Directive (EU) 790/2019: an Italian perspective"

* * *

LECTURES
COURSES

- Lectures on “*Digital Copyright*”, “*Legal Design*”, “*Data Ownership*”, “*ISP Liability*” to Prof. Pagallo and Prof. Durante’s class of Law and Technology and Philosophy of Law, University of Turin (2017-2019).
- Lecture on “*Big Data and Internet of Things. Technical and Normative Challenges*”, to LAST-JD Joint International Doctoral Degree in Law Science and Technology class, University of Turin, 14 March 2016.
- Lectures on “*Advertising Law*” to Prof. Bellia’s class of Intellectual Property Law, University of Verona (2015-2018).
- Lectures on “*The essentials of IP protection in Europe*” (4-6 December 2018) to Prof. Riganti’s class of Contract and Business Law @ ESCP Europe Business School, Turin Campus, Bachelor in Management (BSc)
- Lectures on “*Guide to the GDPR*” (29-31 January 2019) to Prof. Riganti’s class of International and European Business Law @ ESCP Europe Business School, Turin Campus, Bachelor in Management (BSc)
- Lecture on “*Key facts on the EU Consumer Rights Directive*” (6 February 2019) to Prof. Riganti’s class of International and European Business Law @ ESCP Europe Business School, Turin Campus, Bachelor in Management (BSc)
- Course of International & European Business Law and Taxation @ ESCP Europe Business School, Turin Campus, Bachelor in Management (BSc), Academic Year 2019-2020 (54 teaching hours) and 2020-2021 (63 teaching hours)
- Course of “*Legal Informatics*” co-chaired with Prof. Massimo Durante, University of Turin, a.y. 2021/2022 (40 hours) ([link](#))
- Seminar “*Digitalization and access to knowledge*”, University of Turin, a.y. 2021/2022 (18 hours) ([link](#))

HONOURS & AWARDS

* * *

OPTIME, Industrial Union of Turin Award 2010/2011 for the best graduates of University and Polytechnic of Turin.

“Alfredo Canessa” 2012/2013 Award for the best dissertation on IP law.

MEMBERSHIPS

* * *

AIPPI (International Association for the Protection of Intellectual Property), Italian Group.

IPLens blog fellow (www.iplens.org)

Milan/Turin, 19 July 2022

