



WESTFÄLISCHE  
WILHELMS-UNIVERSITÄT  
MÜNSTER

# Münster Colloquia on EU Law and the Digital Economy

## Smart Products

10<sup>th</sup>/11<sup>th</sup> June 2021

**Online – Event**  
via Zoom

**Thursday, 10<sup>th</sup> June 2021**

**13:00 I. Introduction**

**Welcome**

*Sebastian Lohsse (University of Münster)*

**Discussions in EU law about smart products**

*Dirk Staudenmayer (European Commission)*

**13:30 II. The Update Obligation for smart products**

**Digital obligations of sellers of smart devices**

*Hans Schulte-Nölke (University of Osnabrück)*

**The Update Obligation - How to make it work in the relationship between seller, producer, digital content/service provider and consumer**  
*Christiane Wendehorst (University of Vienna)*

**The Update obligation - time period for the update obligation and failure to install the update** *André Janssen (Radboud University Nijmegen)*

**14:30 Discussion**

**16:00 Break**

**16:15 III. Modifications of digital content/services and digital elements in smart products**

**Modifications of digital content/services and of digital elements in smart products – Possible application problems** *Karin Sein (University of Tartu)*

**Modifications of digital content/services and digital elements in smart products – how to design the contracts** *Isabell Conrad (Attorney-at-Law and Partner, CSW Rechtsanwälte, Munich)*

**17:00 Discussion**

**18:00 End**

**Friday, 11<sup>th</sup> June 2021**

**09:00**      **IV. Non-contractual liability for smart products**

**Does the Product Liability Directive apply to software and if so, in which cases?** *Gerhard Wagner (Humboldt University of Berlin)*

**Liability for smart products which develop after being put on the market**  
*Georg Borges (University of Saarland)*

**Is the Product Liability Directive poised to accommodate smart products?**  
**Product Liability for Beyond-Product Ecosystems**  
*Teresa Rodríguez de las Heras Ballell (University Carlos III of Madrid)*

**10:00**      **Discussion**

**11:00**      **Break**

**11:30**      **V. Discussion Panel**

**How should ‘smart products’ be handled in contractual and (product) liability law?** *Dirk Staudenmayer (European Commission) – moderation*  
confirmed speakers:

- Jean-Sébastien Borghetti **University of Paris 2 Panthéon-Assas**
- Susanne Dehmel **Bitkom**
- Evelyne Gebhardt **MEP**
- Jutta Gurkmann **vzbv**
- Bernhard Koch **University of Innsbruck**
- Gerhard Schomburg **BMJV**
- Axel Voss **MEP**

**12:30**      **Discussion**

**13:30**      **Concluding Remarks**

*Reiner Schulze (University of Münster)*

**14:00**      **End**

## The Münster Colloquia

The *6th Münster Colloquium* will focus on legal challenges regarding ‘Smart Products’. Smart products integrating digital elements or connected with digital services and related questions around updates, upgrades or other modifications of digital content or services are an important subject for both contract and product liability law.

At the level of EU law, some aspects of smart products have been regulated by the Digital Contracts Directives adopted in 2019 - the *Directive on the Sale of Goods and the Directive on Contracts for the Supply of Digital Content or Services*. At the same time, smart products raise many questions for the application of the *Product Liability Directive*.

Two main sets of topics will be discussed during this *6th Münster Colloquium on EU Law and the Digital Economy*: 1) How do smart products fit into current concepts of contract law and can be used in legal and commercial practice - focusing on the update obligations in the Digital Contracts Directives and the right to do modifications of digital content and services and 2) How can the Product Liability Directive meet the challenges of smart products? The *Münster Colloquium* will provide a forum for in-depth discussion of these and related questions between renowned experts on digital law as well as representatives from politics as well as industry and consumer stakeholders.

The **volumes** of the first five Münster Colloquia on EU Law and the Digital Economy are available from Nomos publishers and have been well received.



NEW EDITION:

Lohsse/Schulze/Staudenmayer (eds.),  
**Data as Counter-Performance – Contract Law 2.0?**,  
Nomos 2020

Schulze/Staudenmayer (eds.), **Digital Revolution: Challenges for Contract Law in Practice**, Nomos 2016

Schulze/Staudenmayer/Lohsse (eds.), **Contracts for the Supply of Digital Content: Regulatory Challenges and Gaps**, Nomos 2017

Lohsse/Schulze/ Staudenmayer (eds.), **Trading Data in the Digital Economy: Legal Concepts and Tools**, Nomos 2017

Lohsse/Schulze/ Staudenmayer (eds.) **Liability for Artificial Intelligence and the Internet of Things**, Nomos 2019

## Registration

You can register for the conference **via E-Mail until 01 June**, addressed to the conference assistant Carina Weth ([carinaweth@uni-muenster.de](mailto:carinaweth@uni-muenster.de)).

There is no conference fee in case of registration.

This program will be updated frequently.