

# Münster Colloquia on EU Law and the Digital Economy

## Model Contract Clauses under the Data Act

27<sup>th</sup>/28<sup>th</sup> November 2025

University of Münster  
Room JO 101  
Johannisstraße 4  
48143 Münster

Thursday, 27<sup>th</sup> November 2025

13:30 Registration

14:00 I. Introduction: Objectives and Scope

Welcome

Sebastian Lohsse (*University of Münster*)

Model Contract Clauses as Legislative Tool under the Data Act

Dirk Staudenmayer (*European Commission and University of Münster*)

14:30 II. Mandatory Data Sharing

Holder to User Model Contract Terms

Christiane Wendehorst (*University of Vienna*)

Data Usage Contracts between Manufacturers and Users of smart  
Agricultural Machinery - The Model Contract Terms of the German Federal  
Ministry of Food and Agriculture

Hans Schulte-Nölke (*University of Osnabrück*)

Validity Test of some specific Model Contract Terms in view of the German  
Law on General Contract Conditions

Friedrich Graf von Westphalen (*Attorney at Law/ University of Bielefeld*)

15:30 Discussion

16:15 Break

16:30 III. Voluntary Data Sharing

Voluntary Data Sharing B2B – between Contractual Freedom and Regulatory  
Spillovers

Lucie Antoine (*University of Munich*)

Voluntary Data Sharing under the Data Act's Model Contractual Terms

Vittorio Bachelet (*Catholic University of Milan*)

17:15 Discussion

18:00 End

Friday, 28<sup>th</sup> November 2025

09:00 Registration

09:15 IV. Model Contract Terms as Legislative Tool

The Data Act's Private Enforcement through Model Contractual Terms  
Sebastian Schwamberger (*University of Graz*)

Fairness through Form? A Comparative Perspective on Model Contract  
Clauses under the Data Act

Monika Namyslowska (*University of Lodz*)

Substituting the Property Law by Contractual Solutions- Data Act and the  
Development of the Property Rights

Fryderyk Zoll (*University of Osnabrück*)

10:15 V. Standard Contract Clauses for Cloud-Computing Contracts

Cloud Hopping – Does Chapter VI Data Act Enable Switching?

Andreas Sattler (*University of Munich*)

10:45 Discussion

11:30 Break

11:45 Discussion Panel

Dirk Staudenmayer (*European Commission and University of Münster*)  
- Moderation

Claude Rapoport (*Beltug*)

Léo Quentin (*Arcep*)

Christiane Wendehorst (*University of Vienna*)

Friedrich Graf von Westphalen (*Attorney at Law/ University of Bielefeld*)

13:15 Concluding Remarks

Reiner Schulze (*University of Münster*)

13:30 End

## The Münster Colloquia

The "Münster Colloquia" deal with the challenges which EU law faces as a result of the transition to the digital economy. They bring together renowned lawyers from academia and legal practice as well as EU/national policy makers and stakeholder representatives. They are a privileged forum to discuss in-depth concepts and instruments which respond to key issues of EU digital law, for instance related to sharing of data.

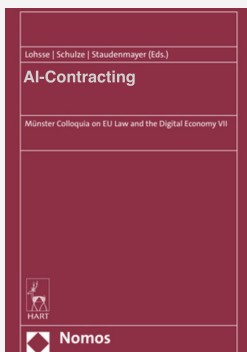
The aim of the 10th Münster Colloquium is to examine the challenges and opportunities arising from the 'soft transposition law' of the Data Act, to be recommended by the European Commission based on Article 41 of the Data Act.

The European Commission will publish non-binding model contractual clauses for data access and use as well as standard contractual clauses for cloud computing contracts. These are intended to support companies in drafting and negotiating contractual terms for data sharing and cloud contracts. They also have the purpose to show to market participants how the legislator envisaged the Data Act to apply in practice. Ultimately, they should contribute to achieve balanced data sharing contracts and thus a fair share of economic operators in the data value chain.

Given the fact that the Data Act establishes contracts as the tool to promote data sharing by providing legal certainty and balanced contracts and to facilitate cloud switching, the conference will focus in particular on the impact these clauses will have on the contractual relationships between data holders, users and data recipients as well as cloud providers and cloud customers.

Therefore, the conference offers the first opportunity to analyse these model contract clauses in detail and to discuss their practical significance for contract practice in the EU.

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



### NEW:

*Lohsse/Schulze/Staudenmayer (Eds.), AI-Contracting, Münster Colloquia on EU Law and the Digital Economy IX, Nomos 2025*

- 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  
Lohsse/Schulze/ Staudenmayer (Eds.), **Data as Counter-Performance – Contract Law 2.0** ?, Nomos 2020  
Lohsse/Schulze/Staudenmayer (Eds.), **Smart Products**, Nomos 2022  
Lohsse/Schulze/Staudenmayer (Eds.), **Liability for AI**, Nomos 2023  
Lohsse/Schulze/Staudenmayer (Eds.), **Private Law and the Data Act**, Nomos 2024

## Registration

You can register for the conference **via E-Mail until 25. November 2025**, addressed to the conference assistant Kim von Gödel ([k.v.goedel@uni-muenster.de](mailto:k.v.goedel@uni-muenster.de)).

There is no conference fee.

This program will be updated.