



Münster Colloquia on EU Law and the Digital Economy

Smart Products

15th – 16th October 2020 - postponed

new dates: 10th-11th June 2021

JO101

Johannisstraße 4
48143 Münster

Thursday, 15th October 2020

12:45 **Registration**

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 **Coffee 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, 16th October 2020

08:45 Registration

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 Coffee break

12:00 **V. Discussion Panel**

How should 'smart products' be handled in contractual and (product) liability law? *Dirk Staudenmayer (European Commission) – moderation*
Representatives from politics, industry, consumer associations and academia are invited to debate

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

Registration

You can register for the conference **via E-Mail until 30 September 2020**, addressed to the conference assistant Ms Carina Farthmann (c.farthmann@uni-muenster.de). In this case there will be no conference fee.

This program will be updated frequently.