

# New Rules for Contracts in the Digital Single Market – What’s in it for Consumers and Businesses in Europe?

**Conference, Vienna, 21-22 January 2016**

On 9 December 2015, the European Commission published three legislative proposals under its Digital Single Market strategy: the Proposal for a Directive on certain aspects concerning contracts for the supply of digital content, COM(2015) 634 final; the Proposal for a Directive on certain aspects concerning contracts for the online and other distance sale of goods, COM(2015) 635 final; and the Proposal for a Regulation on ensuring the cross-border portability of online content services in the internal market, COM(2015) 627 final. At this conference, some of the most significant features of the proposed rules will be analysed and discussed.

## Thursday, 21 January 2016

**Venue:** Palais Trautson, Austrian Ministry of Justice, Museumstraße 7, 1070 Wien

14.00 – 14.30	Welcome and introduction <i>Wolfgang Brandstetter</i> , Federal Minister of Justice, Austria <i>Paul Oberhammer</i> , Dean of the University of Vienna Faculty of Law <i>Christiane Wendehorst</i> , University of Vienna and ELI Vice-President
	Chair: <i>Fritz Graf von Westphalen</i>
14.30 – 15.00	Consumers in a Digital Single Market – which rules do they need? <i>Ursula Pahl</i> , BEUC, Brussels
15.00 – 15.30	Rules for the online world – the traders’ view and the work of UNCITRAL <i>Luca Castellani</i> , UNCITRAL Secretariat
15.30 – 16.00	Discussion
16.00 – 16.30	Coffee break
16.30 – 17.00	The proposed EU Directives on contracts for the supply of digital content and on contracts for the online and other distance sale of goods <i>Dirk Staudenmayer</i> , European Commission
17.00 – 17.30	Discussion
19.30	Conference dinner (Café Landtmann, Universitätsring 4, 1010 Wien)

## Friday, 22 January 2016

Venue: Palais Trautson, Austrian Ministry of Justice, Museumstraße 7, 1070 Wien

Chair: *Lord John Thomas*, Lord Chief Justice of England and Wales

09.00 – 09.30	The proposal on digital content: scope of application and general approach <i>Gerald Spindler</i> , University of Göttingen
09.30 – 10.00	The contract Proposals from the perspective of EU data protection law <i>Olivier Proust</i> , of Counsel, Fieldfisher, Brussels
10.00 – 10.30	Discussion
10.30 – 11.00	Coffee break
11.00 – 11.30	Lack of conformity with the contract and the burden of proof <i>Fritz Graf von Westphalen</i>
11.30 – 12.00	Remedies for the lack of conformity with the contract <i>Fryderyk Zoll</i> , Universities of Krakow and Osnabrück
12.00 – 12.30	Discussion

12.30 – 13.30 Lunch break

Chair: *Reiner Schulze*, University of Münster

13.30 – 14.00	Unfair terms in contracts for the supply of digital content and in EULAs <i>Hans Schulte-Nölke</i> , University of Osnabrück
14.00 – 14.30	Hot potatoes: resale, interoperability, and portability <i>Axel Metzger</i> , Humboldt University Berlin
14.30 – 15.00	Discussion
15.00 – 15.30	Coffee break
15.30 – 16.00	Smart devices and the Internet of Things – falling through the cracks? <i>Christiane Wendehorst</i> , University of Vienna
16.00 – 16.15	Discussion
16.15 – 16.30	Wrapping up <i>Lord John Thomas</i> , Lord Chief Justice of England and Wales



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