

Faculty of Law, University of Lucerne

CONFERENCE

8th Law and Economics Conference in Lucerne

Consumer Law and Economics



29–30 MARCH 2019

UNIVERSITY OF LUCERNE, FROHBURGSTRASSE 3, ROOM 4.B55

Consumer Law and Economics

Of the many current topics in Consumer Law and Economics, perhaps none have been more hotly debated than mandated disclosure. In “More Than You Wanted to Know: The Failure of Mandated Disclosure” (2014), Omri Ben-Shahar and Carl E. Schneider find that mandated disclosure deter lawmakers from adopting better regulations, impair people’s decisions, exacerbate inequality, and put crippling burdens on valuable enterprises. Furthermore, they argue, many consumers make the economically rational decision to not read mandated disclosures.

In addition to mandated disclosure, scholars have debated several other topics in Consumer Law and Economics in recent years. These topics include, for example, the protection of consumer internet data (particularly in light of GDPR), the regulation of boilerplate in consumer contracts, the rationality of consumers, the right to withdraw from consumer contracts, and the EU’s proposed “New Deal for Consumers”.

This conference aims to explore the neoclassical and behavioural economics approaches to consumer law and apply these approaches to current issues.

Programme

FRIDAY, 29 MARCH 2019

ROOM 4.B55

09.00 – 09.15 *Registration*

09.15 – 09.20 Prof. Dr. Klaus Mathis, University of Lucerne
Welcome

Panel 1 **Chair: Prof. Dr. Anne-Lise Sibony**

ROOM 4.B55

09.20 – 10.00 Prof. Dr. Avishalom Tor, University of Notre Dame Law School
The (Somewhat) Hidden Costs of Behavioral Interventions

10.00 – 11.15 Prof. Dr. Omri Ben-Shahar, The University of Chicago Law School
Beyond Disclosure: a New Approach to the Regulation of Consumer Data

11.15 – 11.45 **Coffee Break**

11.45 – 12.45 Prof. Dr. Florencia Marotta-Wurgler, New York University School of Law
Regulating Information Privacy Through Fine Print: Examining the Effectiveness of the U.S. Approach to Consumer Information Privacy

12.45 – 14.15 **Lunch**

Panel 2A **Chair: Prof. Dr. Mariusz J. Golecki** *ROOM 4.B55*

14.15 – 14.45 Prof. Dr. Samuel Becher, Victoria University of Wellington
The Readability of Privacy Agreements and the General Data Protection Regulation

14.45 – 15.15 Prof. Dr. Giuseppe Colangelo, University of Basilicata, Potenza, and Prof. Dr. Mariateresa Maggolino, Bocconi University, Milan
Fragile or Smart Consumers? Suggestions for the US from the EU

15.15 – 15.45 Prof. Dr. Miriam Buiten, University of Mannheim
'Your DNA is one Click away': The GDPR and Direct-to-consumer Genetic Testing

15.45 – 16.15 **Coffee Break**

Panel 3A **Chair: Dr. Sören Segger-Piening** *ROOM 4.B55*

16.15 – 16.45 Asst. Prof. Dr. Thibault Schrepel, Utrecht University
Mandated Disclosure and Blockchain

16.45 – 17.15 Prof. Dr. Mariusz J. Golecki, University of Lodz, and Prof. Dr. Piotr Tereszkiewicz, Jagiellonian University of Cracow
From "Failure of Mandated Disclosure" towards "The Rise of Mandated Product Content"? Empirically and Behaviourally Informed Analysis of Mortgage Products on European Markets

17.15 – 17.45 Rainer Baisch, MLaw, Dipl. Kfm. univ., University of Zurich
The PRIIPs Regulation in View of Behavioural Research: an Example of Hyperbolized Mandated Disclosure

18.30 **Dinner**

Panel 2B **Chair: Prof. Dr. Ann-Sophie Vandenberghe** *ROOM 4.A05*

14.15 – 14.45 Prof. Dr. Susanne Augenhofer, University of Erfurt
The Interplay of Regulation and Litigation: What Dieselgate Tells us about US and European Consumer Laws

14.45 – 15.15 Prof. Dr. Felix Ekardt and Jutta Wieding, M.A., Research Unit
Sustainability and Climate Policy, Leipzig
Environmental Protection by Means of Consumer Law?

15.15 – 15.45 Assoc. Prof. Dr. Kai Purnhagen and Asst. Prof. Dr. Hanna Schebesta,
University of Wageningen
Harmonisation of Alcohol Labelling in the EU: How Much is Enough?

15.45 – 16.15 **Coffee Break**

Panel 3B **Chair: Prof. Dr. Susanne Augenhofer** *ROOM 4.A05*

16.15 – 16.45 Prof. Dr. Ann-Sophie Vandenberghe, Erasmus University Rotterdam
The Law on Unfair Contract Terms in Standard Form Contracts in Europe: a Comparative Law & Economics Approach

16.45 – 17.15 Dr. Mireia Artigot i Golobardes, University of Pompeu Fabra,
Barcelona
Standard Contract Terms and Legal Controls: a Reconstruction from the Law and Economics Theory of Contract

17.15 – 17.45 Prof. em. Dr. Rolf H. Weber, University of Zurich
From Disclosure to Transparency in Consumer Law

18.30 **Dinner**

SATURDAY, 30 MARCH 2019

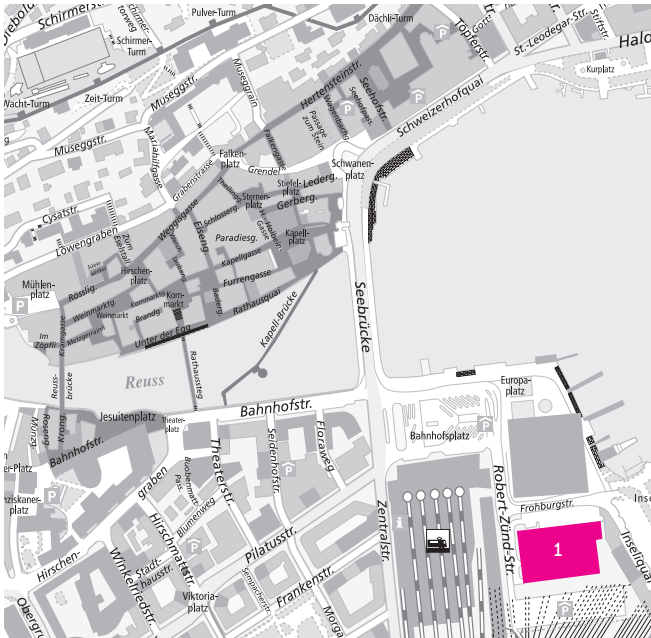
ROOM 4.B55

Panel 4	Chair: Prof. Dr. Samuel Becher
09.00 – 09.30	Prof. Dr. Anne-Lise Sibony, UCLouvain, and Dr. Fabrizio Esposito, Safra Center for Ethics, University of Tel Aviv <i>In Search of the Theory of Harm in EU Consumer Law: Lessons from the Consumer Fitness Check</i>
09.30 – 10.00	Dr. Sören Segger-Piening, University of Würzburg <i>No Need to Read – ‘Self-enforcing’ Pre-contractual Consumer Information</i>
10.00 – 10.20	Coffee Break
10.20 – 10.50	Dr. Tobias Gesche, ETH Zurich <i>De-Biasing Strategic Communication</i>
10.50 – 11.20	Prof. Dr. Danny Friedmann, Peking University School of Transnational Law, Shenzhen <i>Correcting Information Asymmetry via Deep Consumer Information – Compelling Companies to Let the Sunshine In</i>
11.20 – 11.30	Prof. Dr. Klaus Mathis, University of Lucerne, and Prof. Dr. Avishalom Tor, University of Notre Dame Law School <i>Concluding Remarks</i>
12.00	Lake Cruise with Lunch

With the friendly assistance of:

- Swiss National Science Foundation (SNSF)
- Research Commission of the University of Lucerne (FoKo)
- Institute for Research in the Fundamentals of Law – *lucernaiuris*
- Institute for Economy and Regulation





Organisation

University of Lucerne
Faculty of Law
Prof. Dr. iur. Klaus Mathis, MA in Economics
Frohburgstrasse 3
P. O. Box 4466
6002 Lucerne
Switzerland
T + 41 41 229 53 80
klaus.mathis@unilu.ch
www.unilu.ch

1 Venue

University of Lucerne
Frohburgstrasse 3
Lucerne
Switzerland

Registration

Participation is free (coffee breaks included).
Please register no later than 15 March 2019 via email:
moritz.pachmann@unilu.ch